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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12

13
14 **RENO MAY, an individual, et al.,**
15 Plaintiffs,
16 v.
17 **ROBERT BONTA, in his official**
18 **capacity as Attorney General of the**
19 **State of California, and Does 1-10,**
20 Defendants.

21 **MARCO ANTONIO CARRALERO, an**
22 **individual, et al.,**
23 Plaintiffs,
24 v.
25 **ROBERT BONTA, in his official**
26 **capacity as Attorney General of**
27 **California,**
28 Defendant.

Case Nos. 8:23-cv-01696 CJC (ADSx)
8:23-cv-01798 CJC (ADSx)

**DECLARATION OF PATRICK J.
CHARLES IN SUPPORT OF
DEFENDANT'S OPPOSITION TO
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Date: December 20, 2023
Time: 1:30 p.m.
Courtroom: 9B
Judge: Hon. Cormac J. Carney

DECLARATION OF PATRICK J. CHARLES

Pursuant to 28 U.S.C. § 1746, I, Patrick J. Charles, declare and state as follows:

1. I am over the age of eighteen (18) years, competent to testify to the matters contained in this declaration and testify based on my personal knowledge and information.

2. I have been retained by the Office of the Attorney General for California as a historical and constitutional expert on Second Amendment matters. I also have expertise in legal history and its multiple uses in adjudicating constitutional questions.

3. California is currently defending multiple lawsuits, including *May v. Bonta*, C.D. Cal. No. 8:23-cv-01696 CJC (ADSx) and *Carralero v. Bonta*, C.D. Cal. No. 8:23-cv-01798 CJC (ADSx), challenging California laws and regulations that govern where individuals may legally wear, carry, and transport firearms.

4. I have read the Supreme Court's decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), and California has asked me to expound on the history of the law restricting armed carriage in locations jurisprudentially referred to as "sensitive places."

5. Most of the information contained in this declaration is from research conducted prior to having been retained by the Office of the Attorney General for California on September 26, 2023.

BACKGROUND AND QUALIFICATIONS

6. I am a historian, legal scholar, and author of dozens of articles and books on the Constitution, legal history, and standards of review. I received my L.L.M. in Legal Theory and History with distinction from Queen Mary University of London in 2014, J.D. from Cleveland-Marshall College of Law in 2009, and B.A. in History and International Affairs with honors from George Washington University in 2005. My writings on the history of the law have been cited by the

1 Supreme Court of the United States, federal Circuit Courts of Appeal, federal
2 District Courts, and State supreme courts. A true and correct copy of my curriculum
3 vitae is attached as **Exhibit 1** to this declaration.

4 7. For the past 13 years I have served as a historian for the United States
5 Air Force (USAF) in several capacities, including deploying several times with
6 Special Operations Forces (SOF) for contingency operations in Afghanistan and the
7 Middle East. I currently serve as the Oral History and Studies Division Chief for
8 the Air Force Historical Research Agency (AFHRA) located at Maxwell Air Force
9 Base, Alabama, where I oversee all Department of Air Force (DAF) oral history
10 interviews and historical studies.

11 8. This declaration was compiled and completed outside my official
12 duties for the USAF and DAF. Moreover, the contents and opinions expressed in
13 this declaration are solely my own, and not those of the USAF, DAF, AFHRA,
14 Department of Defense, or the federal government.

15 **I. THE HISTORY OF “SENSITIVE PLACES” THROUGH THE NINETEENTH**
16 **CENTURY**

17 9. For nearly five centuries in England, from the late thirteenth century
18 through the late eighteenth century, what constituted a “sensitive place” in which
19 arms bearing could be regulated or altogether restricted was rather broad. It
20 encompassed densely populated areas, as well as areas where people regularly
21 congregated for lawful purposes or conducted commerce. The text “fairs” and
22 “markets” language contained within the 1328 Statute of Northampton makes this
23 abundantly clear. 2 Edw. 3, c. 3 (1328) (Eng.). So too do several other English legal
24 sources. For instance, in 1351, Edward III issued a proclamation declaring it was
25 unlawful to “go armed” with dangerous weapons “within the City of London, or
26 within the Suburbs, or any other places between the said city and the Palace of
27 Westminster...except the officers of the King...” *Royal Proclamation as to the*
28 *Wearing of Arms in the City, and at Westminster; and as to Playing at Games in the*

1 *Palace at Westminster*, MEMORIALS OF LONDON AND LIFE 268-69, 273 (H.T. Riley
2 ed., 1868). Similarly, in John Carpenter’s 1419 treatise *Liber Albus*, it stipulates
3 that “no one, of whatever condition he be, go armed in the said *city [of London] or*
4 *in the suburbs*, or carry arms, by day or by night, except the va[]lets of the great
5 lords of the land, carrying the swords of their masters in their presence, and the
6 serjeants-at-arms of his lordship the King, of my lady the Queen, the Prince, and the
7 other children of his lordship the King, and the officers of the City, and such
8 persons as shall come in their company in aid of them, at their command, for saving
9 and maintaining the said peace; under the penalty aforesaid, and the loss of their
10 arms and armour.” JOHN CARPENTER, LIBER ALBUS: THE WHITE BOOK OF THE CITY
11 OF LONDON (Henry Thomas Riley ed., 1861); *see also id.* at 229, 555, 556, 558,
12 560, 580 (providing other examples denoting that going armed in densely populated
13 public places was unlawful).

14 10. As it pertains to express restrictions on carrying dangerous weapons
15 into specific locations, English law was relatively silent. This is because English
16 restrictions on going armed in “sensitive places” were worded quite broadly, and
17 therefore there was no need for the law to carve out individual locations. Churches
18 or places of worship are one notable exception. *See* 4 Hen 4, c. 29 (1403) (“no Man
19 be armed nor bear defensible armor to Merchant Towns Churches nor
20 Congregations in the same, nor in the Highways, in affray of the Peace or the
21 King’s Liege people”).

22 11. As to whether this broad, English understanding of what constituted a
23 “sensitive place”—that is where arms bearing could be restricted—traveled across
24 the Atlantic, local enforcement records did not survive for historical posterity, and
25 therefore it is impossible for historians or anyone to reconstruct exactly how often,
26 when, and where armed carriage restrictions were enforced. Most instances of legal
27 enforcement were done at the local level, and, as a result, the records of said
28 enforcement have been lost to time. And those records of enforcement that have

1 miraculously survived often require time consuming, archival research, not ad hoc,
2 keyword digital searches. *See, e.g.,* Laura Edwards, *Weapons and the Peace*, DUKE
3 CTR. FOR FIREARMS LAW (Jul. 25, 2023),
4 <https://firearmslaw.duke.edu/2023/07/weapons-and-the-peace/>.

5 12. What the historical record does unequivocally inform is that armed
6 carriage restrictions and the English common law against ‘going armed’ in urban
7 and densely populated locations indeed made their way into the American Colonies
8 and subsequent United States. *See* Patrick J. Charles, *The Faces of the Second*
9 *Amendment Outside the Home: History Versus Ahistorical Standards of Review*, 60
10 CLEV. ST. L. REV. 1, 31-32 (2012). Additionally, historians can state with certainty
11 that state and local governments were well within their authority to prohibit armed
12 assemblies circa the late eighteenth century, no matter whether said assemblies
13 were deemed the militia or not. *See* Patrick J. Charles, *The 1792 National Militia*
14 *Act, the Second Amendment, and Individual Militia Rights: A Legal and Historical*
15 *Perspective*, 9 GEO. J.L. & PUB. POL’Y 323, 326,-27, 374-90 (2011); AN ACT TO
16 PREVENT ROUTS, RIOTS, AND TUMULTUOUS ASSEMBLIES, AND THE EVIL
17 CONSEQUENCES THEREOF, SEPTEMBER SESSION, CHAPTER VIII (Mass. 1786); AN
18 ACT FOR THE MORE SPEEDY AND EFFECTUAL SUPPRESSION OF TUMULTS AND
19 INSURRECTIONS IN THE COMMONWEALTH, SEPTEMBER SESSION, CHAPTER IX (Mass.
20 1787); AN ACT TO PREVENT ROUTS, RIOTS, AND TUMULTUOUS ASSEMBLIES (N.J.
21 1797); AN ACT TO PREVENT HUNTING WITH FIRE-ARMS IN THE CITY OF NEW-YORK,
22 AND THE LIBERTIES THEREOF (NY 1763); AN ACT AGAINST RIOTS AND RIOTERS (Pa.
23 1705); *see also* WILLIAM RAWLE, A VIEW OF THE CONSTITUTION OF THE UNITED
24 STATES 126 (2d ed., 1829) (noting that the Second Amendment “ought not...in any
25 government...be abused to the disturbance of the public peace,” which included the
26 assembling “of persons with arms, for an unlawful purpose”). This is because it had
27
28

1 long been understood that any armed assemblage required the consent of
2 government officials.¹

3 13. The mid-to-late nineteenth century saw state and local governments
4 within the United States enacting express, location specific armed carriage
5 restrictions.² Beginning with state laws, in 1869 Tennessee enacted a law
6 restricting the carrying of dangerous weapons into “any election...fair, race course,
7 or other public assembly of the people.” PUBLIC STATUTES OF THE STATE OF
8 TENNESSEE SINCE THE YEAR 1858, at 108 (James H. Shankland ed., 1871), *available*
9 *at* <https://catalog.hathitrust.org/Record/010432413>. Not long thereafter, in 1870,
10 Texas enacted a law restricting the carrying of dangerous weapons “into any church
11 or religious assembly, any school-room or other place where persons assembled for
12 educational, literary, or scientific purposes, or into a ball room, social party, or
13 other social gathering, composed of ladies and gentlemen, or to any election
14 precinct on the day or days of any election, where any portion of the people of this
15 state are collected to vote at any election, or to any other place where people may
16 be assembled to muster or to perform any other public duty, or any other public
17 assembly...” 2 GEORGE W. PASCHAL, A DIGEST OF THE LAWS OF TEXAS:
18 CONTAINING THE LAWS IN FORCE, AND THE REPEALED LAWS ON WHICH RIGHTS
19 REST FROM 1864 TO 1872, at 1322 (1873), *available at*
20 <https://catalog.hathitrust.org/Record/010448003>. That very same year, Georgia
21 enacted a law providing that “no person in said State of Georgia be permitted or
22 allowed to carry about his or her person any . . . pistol or revolver, or any kind of

23 ¹ This understanding of the law goes all the way back to the 1328 Statute of
24 Northampton. *See* 2 Edw. 3, c. 3 (1328) (Eng.); *see also* 3 CALENDAR OF CLOSE
25 ROLLS, RICHARD II, 1385-1389, at 399-400 (May 16, 1388, Westminster) (H.C.
Maxwell-Lyte ed., 1914); 1 CALENDAR OF CLOSE ROLLS, RICHARD II, 1377-1381, at
34 (December 1, 1377, Westminster) (H.C. Maxwell-Lyte ed., 1914).

26 ² There are, of course, a few exceptions, such as two mid-seventeenth century
27 Maryland laws that prohibited dangerous weapons within legislative assemblies.
28 1647 Md. Laws 216; 1650 Md. Laws 273. But other than these two Maryland laws,
the historical record until the mid-to-late nineteenth century provides very little in
the way of express “sensitive” locations where armed carriage could be prohibited.

1 deadly weapon, to any Court of justice, or any election ground, or precinct, or any
2 place of public worship, or any other public gathering in this State...” ACTS AND
3 RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA PASSED...AT
4 THE SESSION OF 1870, at 421 (1870), *available at*
5 <https://catalog.hathitrust.org/Record/100143502>.

6 14. In 1874, Missouri followed suit by enacting a restriction on carrying
7 “any kind of fire-arms...or other deadly weapon” into “any place where people may
8 be assembled for educational, literary or social purposes, or to any election precinct
9 on any election day, or into any court-room during the sitting of court, or into any
10 other public assemblage of persons meet for other than militia drill or meetings...”
11 ACTS OF THE...GENERAL ASSEMBLY OF THE STATE OF MISSOURI 43 (1874),
12 *available at* <https://catalog.hathitrust.org/Record/000534559>; *see also* LAWS OF
13 MISSOURI: GENERAL AND LOCAL LAWS PASSED AT THE REGULAR SESSION OF THE
14 TWENTY-EIGHTH GENERAL ASSEMBLY 50-51 (1875), *available at*
15 <https://catalog.hathitrust.org/Record/000534559> (same). In 1883, Missouri
16 amended the law to increase the fine. LAWS OF MISSOURI PASSED AT THE SESSION
17 OF THE THIRTY-SECOND GENERAL ASSEMBLY 76 (1883), *available at*
18 <https://catalog.hathitrust.org/Record/000534559>.

19 15. In 1889, Arizona enacted a law providing that “[i]f any person shall go
20 into any church or religious assembly, any school room, or other place where
21 persons are assembled for amusement or for educational or scientific purposes, or
22 into any circus, show or public exhibition of any kind, or into a ball room, social
23 party or social gathering, or to any election precinct on the day or days of any
24 election, where any portion of the people of this Territory are collected to vote at
25 any election, or to any other place where people may be assembled to minister or to
26 perform any other public duty, or to any other public assembly, and shall have or
27 carry about his person a pistol or other firearm . . . he shall be punished by a fine
28 not less than fifty nor more than five hundred dollars, and shall forfeit to the County

1 the weapon or weapons so found on his person.” ACTS, RESOLUTIONS AND
2 MEMORIALS OF THE FIFTEENTH LEGISLATIVE ASSEMBLY OF THE TERRITORY OF
3 ARIZONA 30-31 (1889), *available at*
4 <https://catalog.hathitrust.org/Record/010083734>. Then there was the state of
5 Oklahoma, which in 1890 restricted the carrying of dangerous weapons “into any
6 church or religious assembly, any school room or other place where persons are
7 assembled for public worship, for amusement, or for educational or scientific
8 purposes, or into any circus, show or public exhibition of any kind, or into any ball
9 room, or to any social party or social gathering, or to any election, or to any place
10 where intoxicating liquors are sold, or to any political convention, or to any other
11 public assembly...” STATUTES OF OKLAHOMA 1890, at 495-96 (Will T. Little, L.G.
12 Pitman, & R.J. Barker eds., 1891), *available at*
13 <https://catalog.hathitrust.org/Record/010447936>.

14 16. In addition to the above state laws, there was an abundance of mid-to-
15 late nineteenth century ordinances restricting the carrying of dangerous weapons in
16 so-called “sensitive places.”³ The reason that so many localities enacted these
17 ordinances was the prevalence of the legal concept of “firearms localism”—this
18 concept being a preference among state and local lawmakers to regulate firearms
19 and deadly weapons more strictly at the local rather than the state level. *See* Joseph
20 Blocher, *Firearms Localism*, 123 YALE L.J. 82, 112-16 (2013).⁴ One example is

21 ³ *See, e.g., An Ordinance*, July 9, 1891, *reprinted in* WACO DAILY NEWS
22 (Tx), July 12, 1891, at 8 (**Exhibit 2**) (“If any person shall go into any church or
23 religious assembly, any schoolroom, or other place where persons are assembled for
24 amusement or for educational or scientific purposes, or into any circus, show or
25 public exhibition of any kind, or into any ball room, or social party or social
26 gathering or to any election precinct on the day or the days of any election, where
any portion of the people of the State are collected to vote at any election, or to any
other place where people may be assembled to muster, or to perform any public
duty, or to any other public assembly, and shall have or carry about [their] person a
pistol or other fire-arm...[they] shall be punished by a fine...”).

27 ⁴ Many mid-to-late nineteenth century state laws and local government
28 charters bear this out. *See, e.g., ACTS OF THE GENERAL ASSEMBLY OF THE*
COMMONWEALTH OF KENTUCKY 1066, 1076 (1893), available at

(continued...)

1 that of Columbia, Missouri, which in 1890 passed an ordinance expressly
2 restricting the carrying of dangerous weapons “into any church, or place where
3 people have assembled for religious worship; or into any school room, or place
4 where people are assembled for educational, literary or social purposes; or into any
5 court room, during the sitting of court, or to any election precinct on any election
6 day; or into any other public assemblage of persons met for any lawful purpose...”
7 *Chapter XVII: Carrying Concealed Weapons—Firing Guns, Pistols, Fire Crackers,*
8 *Etc.*, May 22, 1890, *reprinted in* GENERAL ORDINANCES OF THE TOWN OF
9 COLUMBIA, IN BOONE COUNTY, MISSOURI 34, 35 (Lewis M. Switzler ed., 1890),
10 *available at* <https://catalog.hathitrust.org/Record/001754262>.⁵ The Columbia

11 <https://catalog.hathitrust.org/Record/010134273> (providing all Kentucky cities “of
12 the third class” wide latitude to “regulate the sale of fire-arms, and to prevent the
13 carrying of concealed deadly weapons” and make “all police regulations to secure
14 and protect the general health, comfort, convenience, morals and safety of the
15 public”); THE LAWS OF THE STATE OF KANSAS 118, 134 (1871), *available at*
16 <https://catalog.hathitrust.org/Record/100836175> (providing all Kansas cities “of the
17 third class” wide latitude to “prohibit and punish the carrying of firearms or other
18 deadly weapons, concealed or otherwise”); LAWS OF THE STATE OF INDIANA PASSED
19 AT THE FIFTY-FIRST REGULAR SESSION OF THE GENERAL ASSEMBLY 201, 202
20 (1879), *available at* <https://catalog.hathitrust.org/Record/008892461> (1879 law
21 providing all Indiana towns the authority “to regulate or prohibit the use of
22 firearms, fireworks, or other things tending to endanger persons and property”);
23 ACTS OF TENNESSEE: EXTRAORDINARY SESSION 48, 55 (1885), *available at*
24 <https://catalog.hathitrust.org/Record/100666682> (providing the mayor and alderman
25 of the city of Knoxville the authority to “prevent and suppress the sale of fire-arms
26 and carrying of concealed weapons”); ACTS OF THE ONE HUNDRED AND TWELFTH
27 LEGISLATURE OF THE STATE OF NEW JERSEY AND THE FORTY-FOURTH UNDER THE
28 NEW CONSTITUTION 483, 501 (1888), *available at*
<https://catalog.hathitrust.org/Record/010134285> (1888 law providing all New
Jersey towns the authority “to regulate or prohibit the use of firearms and the
carrying of weapons of any kind”); THE COMPLETE CODES AND STATUTES OF THE
STATE OF MONTANA IN FORCE JULY 1, 1895, at 424, 427 (1895), *available at*
<https://catalog.hathitrust.org/Record/010447759> (providing all Montana “city or
town council[s]” the authority to “prevent and suppress the sale of firearms the
carrying of concealed weapons”); *see also* Patrick J. Charles, *The Fugazi Second
Amendment: Bruen’s Text, History, and Tradition Problem and How to Fix It*, 71
CLEV. ST. L. REV. 623, 662 n.256, 685 n.406 (2023) (providing more than two
dozen examples of firearms localism within state laws and local government
charters).

⁵ *See* LAWS OF MISSOURI: GENERAL AND LOCAL LAWS PASSED AT THE
REGULAR SESSION OF THE TWENTY-NINTH GENERAL ASSEMBLY 158, 166 (1877),
available at <https://catalog.hathitrust.org/Record/000534559> (1877 Missouri state
law empowering city and town councils, such as Columbia, with the authority to

(continued...)

1 ordinance mirrored Missouri state law, and was not the only Missouri locality to do
2 so. The localities of Gainesville (1896),⁶ Huntsville (1894),⁷ Leonard (1891),⁸
3 Marceline (1892),⁹ Ridgeway (1893),¹⁰ Rocheport (1895*),¹¹ and Warrensburg
4 (1890),¹² all enacted similar ordinances. Meanwhile, other Missouri localities,

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6
7 “prohibit and punish the carrying of firearms and other deadly weapons, concealed
8 or otherwise”). Like Columbia, Webb City, Missouri and Huntsville, Missouri
9 enacted similar laws. *See Ordinance No. 577: An Ordinance Defining What Shall*
10 *constitute Misdemeanors or Offenses Against the City of Webb City, and Providing*
11 *Penalties Therefor*, May 15, 1905, reprinted in REVISED ORDINANCES OF THE CITY
12 OF WEBB CITY, MISSOURI, 1905, at 99, 100 (1905), available at
<https://catalog.hathitrust.org/Record/008604358>; *An Ordinance in Relation to*
Carrying Deadly Weapons, July 17, 1894, reprinted in THE REVISED ORDINANCES
OF THE CITY OF HUNTSVILLE, MISSOURI OF 1894, at 58-59 (1894), available at
<https://everytownlaw.org/documents/2022/12/huntsville-mo-1894.pdf/>.

⁶ *Ordinances, of the Incorporation of the Town of Gainesville*, May 26, 1896,
reprinted in OZARK COUNTY NEWS (Gainesville, MO), June 4, 1896, at 1 (**Exhibit**
3) (“It shall be unlawful for any person...to go into any public gathering or place
where people are assembled for any lawful purpose, with any kind of fire-arms...or
other deadly weapon...”).

⁷ *An Ordinance in Relation to Carrying Deadly Weapons*, July 17, 1894,
reprinted in THE REVISED ORDINANCES OF THE CITY OF HUNTSVILLE, MISSOURI OF
1894, at 58-59 (1894), available at
<https://everytownlaw.org/documents/2022/12/huntsville-mo-1894.pdf/>.

⁸ *Ordinance No. 23: Ordinance Concerning the Carrying of Deadly*
Weapons, July 6, 1891, reprinted in SHELBY COUNTY HERALD (Shelbyville, MO),
July 29, 1891, at 4 (**Exhibit 4**).

⁹ *Ordinance No. 9*, September 12, 1892, reprinted in MARCELINE JOURNAL-
MIRROR (MO), October 28, 1892, at 8 (**Exhibit 5**).

¹⁰ *Town Ordinance No. XXVIII: An Ordinance in Relation to Misdemeanors*,
April 3, 1893, reprinted in RIDGEWAY JOURNAL (MO), April 6, 1893, at 4 (**Exhibit**
6).

¹¹ *An Ordinance: Misdemeanors*, undated, reprinted in ROCHEPORT
COMMERCIAL (MO), September 20, 1895, at 8 (**Exhibit 7**) (“If any person shall
carry concealed upon or about his person any deadly or dangerous weapon, or shall
go into any court, or into any public assemblage of persons met for a lawful
purpose, having upon or about his person any kind of fire arms...or other deadly
weapon...shall be deemed guilty of a misdemeanor...”). The asterisks next to
Exhibits 7, 10, and 20 indicate that the actual date that the respective ordinances
were enacted is unknown, but because those ordinances appeared in print for those
respective years, it is assumed those are the years of enactment (or at least no later
than that year).

¹² *Concealed or Deadly Weapons*, June 5, 1890, reprinted in JOHNSON
COUNTY STAR (Warrensburg, MO), June 7, 1890, at 4 (**Exhibit 8**).

1 including Collins (1887),¹³ Craig (1880*),¹⁴ Cuba (1881),¹⁵ Granby (1873)¹⁶ just to
2 name a few, enacted ordinances restricting the carrying of dangerous weapons
3 within their “corporate” or “incorporate” limits, whether such carrying was open,
4 concealed, or both. This meant that the carrying of dangerous weapons within these
5 localities’ commercial and public epicenters was legally deemed off limits.

6 17. Localities throughout the state of Kansas enacted similar ordinances.
7 Indeed, in the case of Stockton, Kansas, persons were prohibited from carrying
8 dangerous weapons “into any church or place where the people have assembled for
9 public worship, or into any school room or place where people have assembled for
10 educational, literary or social purposes, or to any election on any election day, or
11 into any court room during the sitting of court, or into any other public assemblage
12 of persons ...or shall go upon the public streets or public places of the city...”
13 *Ordinance No. 76: An Ordinance Prohibiting Deadly Weapons*, July 1, 1887,
14 *reprinted in* STOCKTON REVIEW AND ROOKS COUNTY RECORD (KS), July 1, 1887, at
15 1 (**Exhibit 13**). However, most Kansas localities that enacted restrictions on the

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17 ¹³ *Town Ordinances: Adopted by the Board of Trustees of the Town of*
18 *Collins, Mo.: Ordinance No. 4*, May 2, 1887, *reprinted in* OSCEOLA ADVANCE
19 (Osceola, MO), July 7, 1887, at 4 (**Exhibit 9**) (“Any person who shall carry any
20 concealed weapon or any revolver, pistol, knife or dirk which may not be concealed
within the corporate limits of the town of Collins, shall...be fined...except
however, that upon good cause shown, the board may grant a permit to any citizen
of good reputation to carry weapons for self defense.”).

21 ¹⁴ *Ordinances of Craig, Mo.: Ordinance No. 8—Carrying Concealed*
22 *Weapons*, undated, *reprinted in* CRAIG WEEKLY GAZETTE (MO), October 13, 1880,
at 4 (**Exhibit 10**) (“Any person who shall within the corporate limits of said city of
Craig, carry of have upon his person, any concealed weapon or weapons, shall be
adjudged guilty of a misdemeanor...”).

23 ¹⁵ *Revised Ordinances: Ordained and Established May 24, 1881: Chapter*
24 *VIII: Misdemeanors*, May 24, 1882, *reprinted in* CRAWFORD MIRROR (Steelville,
25 MO), July 27, 1882, at 1 (**Exhibit 11**) (“If any person be found carrying concealed
about his person in the corporate limits, any kind of fire arms...or other deadly
weapon, within the limits of said town he shall be fined....”).

26 ¹⁶ *Ordinances of the Town of Granby: No. 8: An Ordinance Concerning the*
27 *Carrying of Weapons*, October 30, 1873, *reprinted in* GRANBY MINER (Granby,
28 MO), November 1, 1873, at 2 (**Exhibit 12**) (“That any person within the corporate
limits of the town of Granby who shall be found carrying, either openly or
concealed, any pistol...or any other offensive weapon...shall be fined...”).

1 carrying of dangerous weapons in “sensitive places” did so by making their entire
2 “corporate” or “incorporate” area off limits, whether such carrying was open,
3 concealed, or both. Abilene (1870),¹⁷ Arkansas City (1885),¹⁸ Beloit (1872),¹⁹
4 Caldwell (1885),²⁰ Coolidge (1886),²¹ Elk City (1898),²² Harper (1887*),²³ Howard

5
6 ¹⁷ *An Ordinance Relating to the Carrying of Fire Arms and Other Deadly*
7 *Weapons*, to take effect on May 20, 1870, *reprinted in* ABILENE WEEKLY
8 CHRONICLE (KS), May 12, 1870, at 1 (**Exhibit 14**) (“That any person who shall
9 carry, within the limits of the town of Abilene, or commons, a pistol, revolver....or
other dangerous weapon...either openly or concealed, except to bring the same and
forthwith to deposit it or them at their house, boarding house, store room or
residence, shall be fined...”).

10 ¹⁸ *Ordinance No. 1*, May 11, 1885, *reprinted in* ARKANSAS CITY WEEKLY
11 TRAVELER (KS), May 20, 1885, at 4 (**Exhibit 15**) (“That any person carrying any
12 deadly or dangerous weapons, such as loaded fire-arms...or any other weapons
which when used are liable to produce death or great bodily harm, unconcealed,
within the corporate limits of the city” shall pay a fine of \$1 to \$10, and the
13 carrying of said weapons “concealed” will pay a fine of \$5 to \$25).

14 ¹⁹ *An Ordinance in Relation to the Carrying of Fire-Arms or Other Weapons*,
September 9, 1872, *reprinted in* BELOIT GAZETTE (KS), September 19, 1872, at 4
15 (**Exhibit 16**) (“That any person who shall be found within the corporate limits of
this city with any revolver, pistol...or any other dangerous or deadly weapon
concealed or otherwise shall be deemed guilty of a misdemeanor...”).

16 ²⁰ *Revised Ordinances of the City of Caldwell*, undated, *reprinted in*
17 CALDWELL ADVANCE (KS), May 4, 1885, at 2 (**Exhibit 17**) (“Any person carrying
any deadly or dangerous weapon, such as firearms...or any other weapon which
when used is liable to produce death or great bodily harm, unconcealed, within the
18 corporate limits of the city” shall pay a fine of \$10 to \$100, and carrying of said
weapons “concealed” will pay a fine of \$15 to \$100).

19 ²¹ *An Ordinance Concerning Offenses in the Nature of Misdemeanors*, April
20 26, 1886, *reprinted in* BORDER RUFFIAN (Coolidge, KS), May 1, 1886, at 1
(**Exhibit 18**) (“It shall be unlawful for any person or persons to display or make any
21 improper use of any deadly weapon withing the corporate limits of this city...Any
person or persons, other than the duly appointed and commissioned officers of this
22 city, or officers of this county or State, carrying concealed deadly weapons...within
the corporate limits of the city, shall, upon conviction, be deemed guilty of a
23 misdemeanor.”).

24 ²² *Ordinance No. 165*, March 7, 1898, *reprinted in* ELK CITY ENTERPRISE
(KS), March 11, 1898, at 2 (**Exhibit 19**) (“That any person within the corporate
25 limits of said city of Elk City who...shall carry or have on his or her person in a
concealed manner, or otherwise any pistol...or any deadly weapon...shall be
26 deemed guilty of a misdemeanor...”).

27 ²³ *Ordinance No. 180*, undated, *reprinted in* HARPER DAILY SENTINEL (KS),
August 23, 1887, at 2 (**Exhibit 20**) (“That it shall be unlawful for any person to
28 carry any deadly or dangerous weapon, such as fire arms...within the incorporate
limits of said city.”).

1 (1889),²⁴ Kendall (1887),²⁵ Meade Center (1885),²⁶ Mount Hope (1887),²⁷ and
2 Scandia (1893)²⁸ are just a few examples in this regard.

3 18. Ordinances restricting the carrying of dangerous weapons in localities’
4 entire “corporate” or “incorporate” areas were not limited to the states of Missouri
5 and Kansas. Much like armed carriage licensing laws, Charles, *The Fugazi Second*
6 *Amendment, supra*, at 569-65, ordinances restricting the carrying of dangerous
7 weapons in “corporate” or “incorporate” areas proliferated across the United States
8 during the mid-to-late nineteenth century, *id.* at 709-10. For instance, Asheville,
9 North Carolina enacted an ordinance prohibiting the carrying of “pistols, bowie-
10 knives, sling-shots, billeys, [and] other deadly weapons (officers excepted) within
11 the corporate limits...” *Ordinances of the Town of Asheville*, in force as of June 1,
12 1882, *reprinted in* ASHEVILLE WEEKLY CITIZEN (NC), June 3, 1882, at 1 (**Exhibit**
13 **26**). Similarly, in 1874, Lake Charles, Louisiana passed an ordinance prohibiting

14 _____
15 ²⁴ *Ordinance No. 72: An Ordinance to Prevent Carrying Concealed Weapons*
16 *and the Discharge of Firearms*, May 16, 1889, *reprinted in* CITIZEN (Howard, KS),
17 May 22, 1889, at 3 (**Exhibit 21**).

18 ²⁵ *Ordinances: Of the City of Kendall, in the County of Hamilton, State of*
19 *Kansas*, undated, *reprinted in* KENDALL FREE PRESS (KS), March 23, 1887, at 1
20 (**Exhibit 22**) (“It shall be unlawful for any person or persons to display or make any
21 improper use of any deadly weapon withing the corporate limits of this city...Any
22 person or persons, other than the duly appointed and commissioned officers of this
23 city, or officers of this county or State, carrying concealed deadly weapons...within
24 the corporate limits of the city, shall, upon conviction, be deemed guilty of a
25 misdemeanor.”).

26 ²⁶ *City Ordinances*, November 23, 1885, *reprinted in* MEADE GLOBE (Meade
27 Center, KS), November 28, 1885, at 2 (**Exhibit 23**) (prohibiting all persons “not
28 authorized by the laws of the United States or the state of Kansas” from carrying a
“pistol...or other deadly weapons” within the “incorporate limits”).

29 ²⁷ *Ordinance No. Twelve: Peace, Good Government and Welfare*, May 4,
30 1887, *reprinted in* MOUNT HOPE CLARION (KS), May 5, 1887, at 3 (**Exhibit 24**)
(prohibiting all except officers and travelers from carrying “firearms...or other
deadly weapons, concealed, within the corporate limits,” and “any person under the
age of twenty one years of age” from “carrying any deadly weapon, concealed or
otherwise”).

31 ²⁸ *Ordinance No. 79*, December 27, 1893, *reprinted in* SCANDIA JOURNAL
(KS), January 5, 1894, at 8 (**Exhibit 25**) (prohibiting the concealed carry of any
“pistol...or other deadly weapon” within the “corporate limits” except for persons
“engaged in a lawful occupation and of good moral character” who are “granted a
permit to carry such concealed weapons”).

1 the carrying of any “weapon or weapons...within the corporate limits...such as
2 Bowie knives, pistols, revolvers, dirks...or any other dangerous weapon...” *The*
3 *Town Council*, June 20, 1874, *reprinted in* LAKE CHARLES ECHO (Lake Charles,
4 LA), July 18, 1894, at 4 (**Exhibit 27**). The same was true for the Pennsylvania
5 capital city of Harrisburg, which in 1873 enacted an ordinance prohibiting the
6 carrying of “any pistol, dirk-knife, slung-shot or deadly weapon, within the city
7 limits...except police officers...” LOUIS RICHARDS & JAMES M. LAMBERTON, A
8 DIGEST OF LAWS AND ORDINANCES FOR THE GOVERNMENT OF THE CITY OF
9 HARRISBURG, PENNSYLVANIA IN FORCE AUGUST 1, A.D. 1906, at 557-58 (1906),
10 *available at* <https://catalog.hathitrust.org/Record/100565572>.

11 19. There are other local ordinance examples.²⁹ Historically speaking,
12 however, it is impossible to state with specificity just how many localities

13 ²⁹ *See, e.g., Ordinance No. 20*, February 6, 1900, *reprinted in* WELLSTON
14 NEWS (OK), February 9, 1900, at 4 (**Exhibit 28**) (prohibiting “within the town” of
15 Wellston, Oklahoma the carrying of “any pistol, dirk or bowie knife or other deadly
16 weapon” whether done in a “concealed or unconcealed manner”); *Misdemeanors:*
17 *Chapter 12, By Laws and Ordinances*, undated, *reprinted in* LAWRENCE DEMOCRAT
18 (Lawrenceburg, TN), July 26, 1895, at 4 (**Exhibit 29**) (“That it shall not be lawful
19 for any person to carry about their person any pistol...or other deadly weapon
20 within this Corporation...”); *An Ordinance Prohibiting the Carrying of Concealed*
21 *Weapon and Fixing the Punishment Therefor*, January 23, 1895, *reprinted in* PERRY
22 DAILY TIMES (OK), February 2, 1895, at 2 (**Exhibit 30**) (prohibiting the concealed
23 carry of dangerous weapons across the city of Perry, Oklahoma, and all carrying of
24 dangerous weapons within the “corporate limits”); *Will Be Enforced*, STATE RIGHTS
25 DEMOCRAT (Albany, OR), March 9, 1894, at 3 (**Exhibit 31**) (reprint of Albany,
26 Oregon Ordinance No. 152 prohibiting “any person or persons [from carrying] any
27 deadly or dangerous weapons of any kind whatever in a concealed manner within
28 the corporate limits...”); THE REVISED ORDINANCES OF PROVO CITY, UTAH 96
(1893), *available at* <https://catalog.hathitrust.org/Record/009037720> (“Every
person who shall wear, or carry upon his person any pistol, or other fire arm,
slungshot, false-knuckles, bowieknife, dagger or any other dangerous or deadly
weapon within the city limits of this city is guilty of an offence, and upon
conviction thereof shall be liable to a fine in any sum not exceeding twenty-five
dollars, or to be imprisoned in the city jail not exceeding twenty-five days, or to
both fine and imprisonment.”); *Ordinances: Chapter VIII: Deadly Weapons*,
August 11, 1891, *reprinted in* SANTA FE WEEKLY SUN (NM), August 15, 1891, at 4
(**Exhibit 32**) (“That it shall be unlawful for any person to carry a deadly weapon,
either concealed or unconcealed, within the limits of the city of Sante Fe, unless the
same be carried in lawful defense of himself, his family or his property, the same
being at the time threatened with danger, or unless by order of legal authority...”);
Ordinance—Continued: Chapter VII: Deadly Weapons, undated 1891, *reprinted in*
THE RUSTLER (Cerrillos, NM), September 11, 1891, at 5 (**Exhibit 33**) (“That it shall
(continued...)”))

1 maintained “sensitive places” ordinances by the close of the nineteenth century.
2 Like most local government records up to the close of the nineteenth century, many
3 local ordinances have been lost to time. Indeed, often localities published their
4 ordinances in local newspapers, and, in fact, it is from local newspapers that I was
5 able to locate many “sensitive places” ordinances. But as any professional historian
6 or archivist can attest, the records of local ordinances that have survived for
7 historical posterity are only a fragment of the whole.

8
9 be unlawful for any person to carry a deadly weapon, either concealed or
10 unconcealed, within the limits of the Town of Cerrillos, unless the same be carried
11 in lawful defense of himself, his family or his property, the same being at the time
12 threatened with danger, or unless by order of legal authority...”; *Ordinance No.*
13 *2133*, July 23, 1889, *reprinted in* OMAHA WORLD-HERALD (NE), August 4, 1889, at
14 12 (**Exhibit 34**) (“It shall be unlawful for any person to wear under his clothes, or
15 concealed about his person, any pistol or revolver, colt, billy, slug-shot, brass
16 knuckles or knuckles of lead, dirk, dagger, or any knife resembling a bowie knife,
17 or any other dangerous or deadly weapon within the corporate limits of Omaha.”);
18 *Ordinance No. 11*, December 4, 1882, *reprinted in* BLACK HILLS WEEKLY JOURNAL
19 (SD), December 8, 1882, at 1 (**Exhibit 35**) (“That is shall be, and it is hereby
20 declared to be unlawful for any person to carry, openly or concealed, any musket,
21 rifle, shot gun, pistol...or any other dangerous or deadly weapon within the
22 corporate limits of the town of Rapid City, Dakota
23 territory...me[re]...transportation from one place to another” excluded); *Ordinance*
24 *No. 44*, May 8, 1883, *reprinted in* ARIZONA DAILY STAR (Tucson, AZ), May 19,
25 1883, at 3 (**Exhibit 36**) (“If any person within the corporate limits if the city of
26 Tucson carry concealed upon his person any gun, pistol, bowie-knife, dagger, or
27 other deadly weapon, he shall be deemed guilty of...a misdemeanor”); *An*
28 *Ordinance (No. 18): Regulating the Keeping and Bearing of Deadly Weapons*,
August 19, 1873, *reprinted in* GALVESTON DAILY NEWS (TX), August 28, 1873, at
4 (**Exhibit 37**) (“That any person carrying on or about his person, saddle or vehicle,
within the corporate limits of the city of Galveston, any pistol [or other dangerous
weapons]...for the purposes of offense or defense...unless he has reasonable
grounds for fearing an unlawful attack on his person, and that such attack shall be
immediate and pressing” will be a pay between \$25 and \$100); *An Ordinance to*
Prevent the Carrying of Arms, April 9, 1873, *reprinted in* DAILY TIMES
(Chattanooga, TN), April 24, 1873, at 1 (**Exhibit 38**) (“That if any person shall,
within the corporate limits of the City of Chattanooga, either publicly or privately
carry any dirk, sword-cane, Spanish stiletto, belt or pocket pistol, Bowie knife or
any large knife of like form or size to a Bowie knife, brass knuckles or slung shot,
[they] shall be deemed guilty of a misdemeanor and...shall be fined not less than
fifty dollars and confined in the city jail not less than thirty days.”); *An Ordinance*
Prohibiting the Carrying of Fire Arms and Concealed Weapons, undated, *reprinted*
in NEBRASKA CITY NEWS (NE), July 7, 1869, at 3 (**Exhibit 39**) (“That it shall be,
and it is hereby declared to be unlawful for any person to carry openly or
concealed, any musket, rifle, shot gun, pistol...or any other dangerous or deadly
weapons, within the corporate limits of Nebraska City,
Nebraska...mere...transportation from one place to another” excluded).

20. Despite being unable to fully reconstruct the exact number “sensitive places” laws, what is known upon examining all the state and local “sensitive places” laws from a macro level is that come the mid-to-late nineteenth century state and local governments maintained the authority to restrict the carrying of dangerous weapons in a variety of “sensitive places” where people were known to congregate. Such “sensitive places” categories included 1) churches and places of worship; 2) places where large public assemblies generally took place, *i.e.*, parks,³⁰ town squares, and the like; 3) polling places and other buildings where political activity generally took place; 4) schools and institutions of higher learning; 5) places where events of amusement took place, *i.e.*, places where people congregate for large planned events; and 6) bars, clubs, social venues, or anywhere in which alcohol or psychoactive or mood altering drugs were purchased or consumed.

21. What historically buttresses that each of these categories were generally understood to be “sensitive places” is the fact that there is no historical evidence that informs otherwise. As far as I am aware, not one nineteenth century court of law found any of these “sensitive places” categories to be unconstitutional.³¹ The same is true for nineteenth century legal commentary—not one said commentary calls these “sensitive places” categories into constitutional

³⁰ For some “park” examples, see Charles, *The Fugazi Second Amendment*, *supra*, at 710-12 and accompanying notes.

³¹ In fact, the opposite is true. See *State v. Shelby*, 90 Mo. 302, 468–69 (Mo. 1886); *State v. Wilforth*, 74 Mo. 528, 530–31 (Mo. 1881); *Owens v. State*, 3 Tex. App. 404 (Tex. App. 1878), *reprinted in* CASES ARGUED AND ADJUDGED IN THE COURT OF APPEALS OF THE STATE OF TEXAS 404–8 (Vol. 3, 1878); *Hill v. State*, 53 Ga. 472, 473–75 (Ga. 1874); *English v. State*, 35 Tex. 473, 473–74, 476 (Tex. 1873); *Andrews v. State*, 50 Tenn. 165, 168 (Tenn. 1871). See also *The Supreme Court: On Carrying Concealed Weapons*, STATE JOURNAL (Jefferson City, MO), April 12, 1878, at 2 (**Exhibit 40**) (copy of 1878 Missouri Supreme Court decision *State v. Reando*, upholding a constitutional challenge to the state’s “sensitive places” law). The case cannot be found in the Missouri Supreme Court Historical Database but was briefly reported in a contemporaneous issue of *The Central Law Journal*. See *Abstract of Decisions of the Supreme Court of Missouri: October Term, 1877*, 6 CENTRAL L. J. 16, 16 (1878) (“The act of the legislature prohibiting the conveying of fire-arms into courts, churches, etc....is constitutional. It is a police regulation not in conflict with the provisions of the organic law...*State v. Reando*.”).

1 question. This is rather important because *Bruen* denotes that when it comes to the
2 “sensitive places” doctrine a *lack* of historical evidence disputing their lawfulness
3 *presumes* their constitutionality. 142 S. Ct. at 2133.

4 **II. THE HISTORY OF RESTRICTIONS ON LIQUOR AND ARMS BEARING**

5 22. All the while armed carriage licensing laws and “sensitive places”
6 laws were spreading across the country, so too were laws regulating liquor and
7 arms bearing. It is difficult to state with specificity when the first law restricting
8 arms bearing and liquor came into existence in the American Colonies. *See, e.g.,*
9 *General Court for Elections, Boston*, May 28, 1679, reprinted in 2 MILITARY
10 OBLIGATION: THE AMERICAN TRADITION: PART 6. MASSACHUSETTS ENACTMENTS
11 125 (1947), *available at* <https://catalog.hathitrust.org/Record/100721030>
12 (prohibiting the bringing to any militia muster or training “any wine, strong liquor,
13 cider, or any other inebriating” drinks). What is known is that by the mid-eighteenth
14 century, many colonial lawmakers viewed liquor and arms bearing as a potentially
15 dangerous combination. For instance, in 1746, New Jersey made it unlawful “to sell
16 any strong Liquor” to any militiaman during the “Days or Times that they are
17 obliged to appear in Arms at the Place of Mustering or Training, or within a Mile
18 thereof, until after they are dismissed for that day”—militiamen on leave from their
19 commanding officers excluded. *An Act for Better Settling and Regulating the*
20 *Militia of the Colony of New-Jersey, for the Repelling of Invasion, and Suppressing*
21 *Insurrections and Rebellions*, May 8, 1746, reprinted in ACTS OF THE GENERAL
22 ASSEMBLY OF THE PROVINCE OF JERSEY 139, 146 (1776), *available at*
23 <https://catalog.hathitrust.org/Record/010448351>. Similarly, in 1756, Delaware
24 made it unlawful to “expose to sale at or Bring on any Pretence whatsoever any
25 strong Liquor” to any militia muster or meeting. *An Act for the Establishing a*
26 *Militia in this Government*, March 24, 1756, reprinted in 2 MILITARY OBLIGATION:
27 THE AMERICAN TRADITION: PART 3. DELAWARE ENACTMENTS 10, 12 (1947),
28

1 available at <https://catalog.hathitrust.org/Record/100721030>; *see also An Act for*
2 *Regulating the Militia of the Province of Maryland*, May 22, 1756, reprinted in
3 2 MILITARY OBLIGATION: THE AMERICAN TRADITION: PART 5. MARYLAND
4 ENACTMENTS 83, 93 (1947), *available at*
5 <https://catalog.hathitrust.org/Record/100721030> (prohibiting the selling, disposing,
6 or vending of “Strong Liquor” at “any place of training or at any other Place within
7 Five Miles of any Place of training”).

8 23. After the ratification of the Constitution, many lawmakers continued to
9 view liquor and arms bearing as a potentially dangerous combination. *See, e.g., An*
10 *Act for the Regulation of the Militia of New-Jersey*, June 13, 1799, reprinted in
11 LAWS OF THE STATE OF NEW JERSEY 436, 444 (William Patterson ed., 1800),
12 *available at* <https://catalog.hathitrust.org/Record/010448353> (“Any person, who
13 shall bring any kind of spiritous liquors to the place of exercise, shall forfeit such
14 liquors...”); *New Militia Law: An Act for the Regulation of the Militia of the*
15 *Commonwealth of Pennsylvania*, April 11, 1793, reprinted in INDEPENDENT
16 GAZETTEER (Philadelphia, PA), April 20, 1793, at 1, 4 (**Exhibit 41**) (“No company
17 or regiment shall meet at a tavern on any of the days of exercise, nor shall march to
18 any tavern before they are discharged, and any person who shall bring any kind of
19 spiritous liquors to such place of training, shall forfeit such liquors so brought...”);
20 AN ACT FOR THE BETTER REGULATION OF THE MILITIA, IF THE CITY OF BALTIMORE,
21 PASSED BY THE LEGISLATURE OF MARYLAND, DECEMBER SESSION, 1817, at 15
22 (1818), *available at* https://archive.org/details/gpl_1337206/page/n9/mode/2up (law
23 prohibiting militia members from “appear[ing] drunk”). Of course, not every state
24 enacted liquor-related arms bearing restrictions, nor did every locality effectively
25 enforce them. But this is in part why the state militias fell into such disrepute by the
26 mid-nineteenth century. *See, e.g., Lena London, The Militia Fine 1830-1860*, 15
27 MILITARY AFFAIRS 133, 136 (1951) (“The excessive consumption of liquor at
28 militia musters resulted in more than just inebriation. Disorderly conduct and riots

1 were often the outcome.”); PATRICK J. CHARLES, ARMED IN AMERICA: A HISTORY
2 OF GUN RIGHTS FROM COLONIAL MILITIAS TO CONCEALED CARRY 79, 130 (2018)
3 (containing historical images of the militia drinking alcohol during musters).

4 24. As for non-militia based restrictions on liquor and arms bearing, the
5 territory of New Mexico appears to have been the forefront. Therein, in 1852, it was
6 made unlawful for “any person” to carry “fire arms or other deadly weapons” into
7 any “ball where Liquors are sold...” LAWS OF THE TERRITORY OF NEW MEXICO,
8 PASSED BY THE SECOND LEGISLATIVE ASSEMBLY IN THE CITY OF SANTA FE 69
9 (1853), *available at* <https://catalog.hathitrust.org/Record/010476920>. However, it
10 was not until after the Civil War—after lawmakers and public officials began to
11 increasingly witness the negative consequences of alcohol on war veterans³²—that
12 broad, general restrictions on liquor and arms bearing began to spread across the
13 country. On the state level, Kansas (1867),³³ Mississippi (1878),³⁴ Missouri
14 (1879),³⁵ Oklahoma (1890),³⁶ and Wisconsin (1883)³⁷ all enacted liquor-related
15 arms bearing restrictions.

16 ³² “*Half the Time Unfit for Duty*”: *Alcoholism in the Civil War*, NATIONAL
17 MUSEUM OF CIVIL WAR MEDICINE, September 2, 2021, *available at*
<https://www.civilwarmed.org/alcoholism/>.

18 ³³ *An Act to Prevent the Carrying of Deadly Weapons*, February 23, 1867,
19 *reprinted in* LAWS OF THE STATE OF KANSAS 25 (1867), *available at*
<https://catalog.hathitrust.org/Record/100836175> (prohibiting any “person under the
influence of intoxicating drink” from carrying dangerous weapons).

20 ³⁴ *Laws of the State of Mississippi: An Act to Prevent the Carrying of*
21 *Concealed Weapons, and For Other Purposes*, February 28, 1878, *reprinted in*
22 CLARION-LEDGER (Jackson, MS), March 13, 1878, at 3 (**Exhibit 42**) (“That it shall
not be lawful for any person to sell to...any person intoxicated, knowing him to
be...in a state of intoxication, any” dangerous weapons).

23 ³⁵ REVISED STATUTES OF THE STATE OF MISSOURI, 1879 at 224 (1879),
24 *available at* <https://catalog.hathitrust.org/Record/002030306> (law prohibiting any
person from carrying any dangerous weapons “upon his person when intoxicated or
under the influence of intoxicating drinks”).

25 ³⁶ STATUTES OF OKLAHOMA 1890, *supra*, at 496 (prohibiting the carrying of
26 dangerous weapons “to any place where intoxicating liquors are sold”).

27 ³⁷ *An Act to Prohibit the Use and Sale of Pistols and Revolvers*, April 7,
1883, *reprinted in* LAWS OF WISCONSIN 290 (1883), *available at*
28 <https://catalog.hathitrust.org/Record/005877100> (“It shall be unlawful for any
person in a state of intoxication, to go armed with any pistol or revolver.”).

25. And given the prevalence of firearms localism during the mid-to-late nineteenth century, *see supra* pp. 9-10, so too did many localities. Much like “sensitive places” and armed carriage licensing laws during this period, it is impossible to historically pinpoint just how many localities enacted ordinances governing liquor and arms bearing. Many localities made intoxication and unlawful arms bearing separate offenses, each with their own penalty or fine. Other localities, however, combined the two offenses into one. Such was the case for Grand Junction, Colorado circa 1899, which made it unlawful to not only “carry any...weapon or weapons when drunk or in a state of intoxication,” and to “sell, barter, loan or deliver any such weapon or weapons to any drunk or intoxicated person.” *Ordinance No. 83: Article VIII: Offensives Affecting the Public Safety*, June 30, 1899, *reprinted in* GRAND JUNCTION NEWS (CO), July 8, 1899, at 4, 7 (Exhibit 37). In 1895, Rocheport, Missouri enacted an ordinance, prohibiting the carrying of “any...weapon upon or about [their] person when intoxicated or under the influence of intoxicating drinks...” *An Ordinance: Misdemeanors*, undated, *reprinted in* ROCHEPORT COMMERCIAL (MO), September 20, 1895, at 8 (Exhibit 7). Meanwhile, in 1891, Lyons, Kansas enacted an ordinance prohibiting the carrying of any “pistol, bowie knife, dirk or other deadly weapon” with the city limits by anyone “not engaged in any legitimate business” or “under the influence of intoxicating drink...” *Ordinance No. 179*, September 7, 1891, *reprinted in* LYONS REPUBLICAN (KS), September 10, 1891, at 4 (Exhibit 43). There are indeed other examples to point to,³⁸ but none as broad as the prohibition adopted by two of the

³⁸ *Town Ordinance No. 21*, August 7, 1894, *reprinted in* K COUNTY DEMOCRAT (Blackwell, OK), August 23, 1894, at 8 (Exhibit 44) (prohibiting the general carrying of dangerous weapons within the “corporate limits,” but also prohibiting all “public officers” from carrying if “under the influence of intoxicating drinks”); *An Ordinance—To Prohibit Intoxication Breach of the Peace, Carrying of Deadly Weapons...and to Repeal Certain Ordinances in Said City*, December 22, 1887, *reprinted in* WALLACE COUNTY REGISTER (KS), December 24, 1887, at 7 (Exhibit 45) (“Any person who shall, while intoxicated be found carrying on his person, a pistol...or other deadly weapon, shall upon conviction be fined in a sum not exceeding \$100, or by imprisonment in the city jail not

(continued...)

1 country's three most populous cities—New York and Brooklyn respectively. Both
2 enacted prohibitions on the selling, loaning, or giving of any dangerous weapon to a
3 person that posed “any danger to [the] life” of others, which naturally would have
4 precluded the selling, loaning, or giving of any dangerous weapons to any
5 intoxicated persons. *See* METROPOLITAN BOARD OF HEALTH: CODE OF HEALTH
6 ORDINANCES, AND RULES AND SANITARY REGULATIONS 52 (1866), *available at*
7 <https://catalog.hathitrust.org/Record/008905639>; *Sanitary Code*, July 15, 1873,
8 *reprinted in* BROOKLYN UNION (NY), August 21, 1873, at 1 (**Exhibit 47**).

9 26. As far as I am aware, not one nineteenth century legal commentator or
10 nineteenth century court of law found any liquor-related arms bearing restriction
11 unconstitutional. In fact, the opposite is true. *See Shelby*, 90 Mo. at 468-69; *see*
12 *also Tipler v. State*, 57 M. 365 (1880), *reprinted in* 57 REPORTS OF CASES IN THE
13 SUPREME COURT FOR THE STATE OF MISSISSIPPI (1880) (noting that the
14 reasonableness exception to the state's armed carriage law could not apply to
15 instances of “idle threats” or “the offspring of intoxication”); *Concealed Weapons:*
16 *Judge Brannon's Decision on This Subject*, WHEELING REGISTER (WV), October
17 15, 1883, at 1 (**Exhibit 48**) (noting that the principal purpose of most armed
18 carriage restrictions are to prevent an “armed riot or affray,” particularly during
19 “dangerous moments of anger or intoxication”).

20 **III. PLAINTIFFS' RELIANCE ON “BRING ARMS TO CHURCH” LAWS IS** 21 **HISTORICALLY MISPLACED**

22 27. From the mid-seventeenth through the late eighteenth century, it is
23 indeed true, as the *May* Plaintiffs point out, that several American Colonies enacted
24 laws requiring church parishioners to bring their arms to church. *See May* MPA

25
26 _____
27 exceeding 3 months.”); *Ordinance No. 39*, January 4, 1886, *reprinted in* DADE
28 COUNTY ADVOCATE (Greenfield, MO), January 21, 1886, at 4 (**Exhibit 46**)
(prohibiting the carrying of dangerous weapons by those “intoxicated, or under the
influence of intoxicating drinks”).

1 (Dkt. No. 13-1), at 22. However, in proffering this historical evidence to the court,
2 the *May* Plaintiffs do not present it in proper historical context.

3 28. First and foremost, it must be noted that many “bring your arms to
4 church” laws are antecedents of slavery and were principally intended to quell
5 potential slave revolt. *See, e.g.*, 7 THE STATUTES OF LARGE OF SOUTH CAROLINA
6 417-19 (1840) (reprint of a 1743 South Carolina law requiring white persons to
7 bring arms to church for the “better ordering and government negroes and other
8 slaves”); *see also* SALLY E. HADDEN, SLAVE PATROLS: LAW AND VIOLENCE IN
9 VIRGINIA AND THE CAROLINAS 140-41 (2001). To be clear, these laws are inherently
10 racist. For example, a 1770 Georgia law required white persons to bring arms to
11 church for the purpose of quelling “internal dangers and insurrections.” 19 THE
12 COLONIAL RECORDS OF THE STATE OF GEORGIA (pt. 1) 137-38 (1911). The law was
13 an updated version of a 1757 Georgia law of a similar name that also required white
14 persons to bring arms to church to quell “domestick insurrections.” 1 THE EARLIEST
15 PRINTED LAWS OF THE PROVINCE OF GEORGIA, 1755-1770, at 15 (1978).

16 29. Secondly, all other ‘bring your gun to church’ laws—that is laws that
17 were not intended to quell slave revolts or subjugate people of color—were enacted
18 with the express purpose of training government sponsored “well regulated”
19 militias. *See, e.g.*, 6 WILLIAM WALLER HENING, THE STATUTES AT LARGE; BEING A
20 COLLECTION OF ALL THE LAWS OF VIRGINIA FROM THE FIRST SESSION OF THE
21 LEGISLATURE, IN THE YEAR 1619, at 534 (1819) (1755 Virginia law declaring it will
22 be lawful for militia officers to require all militiamen “to go armed to their
23 respective parish churches” for training). To be clear, ‘bring your gun to church’
24 militia laws were not ‘right to carry to church’ laws. Rather, they were compulsory
25 laws enacted within the constitutional confines of state plenary power to call forth
26 and muster the militia for training or internal security. *See Charles, 1792 National*
27 *Militia Act, supra*, at 344-46, 374-90 (outlining the history of this state plenary
28 power over the militia); *see also Presser v. Illinois*, 116 U.S. 252 (1886) (affirming

1 state plenary power to muster, assemble, and train the militia); *District of Columbia*
2 *v. Heller*, 554 U.S. 570, 620-21 (2008) (noting that nothing in *Heller* seeks to
3 upend *Presser*'s holding of forbidding bodies of men from marching or assembling
4 with arms). The point is that the historical evidence, when placed in context
5 suggests that colonial and later state governments had sufficient leeway to enact
6 time, place, and manner restrictions when it came to public arms-bearing and armed
7 assemblage. To interpret these 'bring your guns to church' militia laws as Plaintiffs
8 suggest is to break the bounds of historical elasticity. It would ultimately mean that
9 any eighteenth century law that legally compelled persons to do a particular act
10 could make said act forever a constitutional right, and any modern law that restricts
11 or prohibits said act is ipso facto unconstitutional. Such a utilization of history for
12 law would create a dangerous precedent that would ultimately upend many state
13 police powers.

14
15 I declare under penalty of perjury under the laws of the United States of
16 America that the foregoing is true and correct.

17 Executed on October 30, 2023, at Auburn, Alabama.

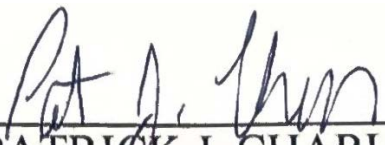
18
19
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21 PATRICK J. CHARLES
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Exhibit 1

PATRICK J. CHARLES
www.patrickjcharles.com

EDUCATION

Queen Mary-University of London School of Law, LLM Legal Theory and History with Distinction, Dec 2014.
Legal Theory and History Full Scholarship Recipient
Peer Review Editor, Queen Mary Law Journal

Cleveland-Marshall School of Law, Juris Doctor, May 2009.
2008 Judge John R. Brown Award for Legal Writing (\$10,000 award given annually to best student article, note, comment or paper in the United States)

George Washington University, B.A. History with Honors, International Affairs Conflict & Security,
International Affairs European Affairs, Jun 2005.

EXPERIENCE

Air Force Historical Research Agency, USAF, Maxwell AFB, AL *Oral History and Studies Div Chief* 07/23 – Pres
Air Force Historical Research Agency, USAF, Maxwell AFB, AL *Lead Research Team Archivist* 04/22 – 9/23
U.S. Special Operations Command, Legislative Affairs, USAF, Washington, DC *Legislative Liaison* 01/21 – 4/22
U.S. Senate, Office of U.S. Senator Martin Heinrich, Washington, DC *Legislative Fellow* 01/20 – 01/21
Dept of State, Office of U.S. Foreign Assistance Resources, Washington, DC *Legislative Analyst* 07/19 - 01/20
U.S. Special Operations Command, USAF, MacDill AFB, FL *Senior Historian* 07/16 - 07/19
Journal of Immigration, Asylum, and Nationality Law, London, UK *Peer Review Editor* 09/15 - 09/18
24th Special Operations Wing, USAF, Hurlburt Field, FL *Historian* 08-14 - 07/16
352nd Special Operations Group, USAF, Mildenhall, UK *Historian* 12/10 - 08/14
Immigration Reform Law Institute, Washington, DC *Legal Analyst/Legal Historian* 5/09 - 12/10
United States Marine Corps, Shanghai, China *Sergeant/Assistant Detachment Commander* 8/97 - 8/02

FELLOWSHIPS AND GRANTS

United States Air Force, Air Force Legislative Fellows Program, July 2019-April 2022.
Eisenhower Foundation Research Travel Grant 2019, Dwight D. Eisenhower Presidential Library, Abilene, KS.
Carl Albert Congressional Research Center Visiting Scholars Grant 2018, University of Oklahoma, Norman, OK.
Bordin-Gillette Research Fellowship 2018, University of Michigan Bentley Historical Library, Ann Arbor, MI.
Clark-Yudkin Research Fellowship 2013-14, United States Air Force Academy Library, Colorado Springs, CO.

BOOK PUBLICATIONS AND BOOK CHAPTERS

Vote Gun: How Gun Rights Became Politicized in the United States (Columbia University Press, 2023).

“The ‘Reasonable Regulation’ Right to Arms: The Gun Rights Second Amendment Before the Standard Model,” *A Right to Bear Arms?: The Contested Role of History in Contemporary Debates on the Second Amendment*, Jennifer Tucker, Barton C. Hacker, and Margaret Vining eds. (Smithsonian Institution Press, 2019).

Armed in America: A History of Gun Rights from Colonial Militias to Concealed Carry (Prometheus Books, 2019) (paperback edition with new foreword).

Armed in America: A History of Gun Rights from Colonial Militias to Concealed Carry (Prometheus Books, 2018).

United States Special Operations History, 1987-2017 (7th edition, USSOCOM History and Research Office, 2017) (contributor).

Historicism, Originalism and the Constitution: The Use and Abuse of History in American Jurisprudence (McFarland, 2014).

The Second Amendment: The Intent and its Interpretation by the States and the Supreme Court (McFarland, 2009).

Irreconcilable Grievances: The Events that Shaped the Declaration of Independence (Heritage Books, 2008).

ARTICLES AND OTHER PRINT PUBLICATIONS

“The Fugazi Second Amendment: *Bruen’s* Test, History, and Tradition Problem and How to Fix It,” 71 *Cleveland State Law Review* 623 (2023).

“Racist History and the Second Amendment: A Critical Commentary,” 43 *Cardozo Law Review* 1343 (2022).

“The Invention of the Right to ‘Peaceable Carry’ in Modern Second Amendment Scholarship,” 2021 *Illinois Law Review Online* 195 (2021).

“The Faces of the Second Amendment Outside the Home, Take Three: Critiquing the Circuit Courts Use of History-in-Law,” 67 *Cleveland State Law Review* 197 (2019).

“The Second Amendment and the Basic Right to Transport Firearms for Lawful Purposes, 13 *Charleston Law Review* 125 (2018) (invited).

“The Forgotten Emblems of the World War II Air Commandos,” 6 *Air Commando Journal*, Issue 3, 2018: 42-47.

“The Difficulties in Changing an Air Force Emblem,” 6 *Air Commando Journal*, Issue 3, 2018: 48.

“Dissecting the Origins of Air-Centric Special Operations Theory,” 81 *Journal of Military History*, Issue 3, July 2017: 803-28.

“The Call to Embrace Immigration Federalism in the United States,” 30 *Journal of Immigration, Asylum, and Nationality Law* 353 (2016).

“The Faces of the Second Amendment Outside the Home, Take Two: How We Got Here and Why it Matters,” 64 *Cleveland State Law Review* 373 (2016) (lead article).

“The Sudden Embrace of Executive Discretion in Immigration Law,” 55 *Washburn Law Journal* 59 (2015) (invited).

“The Second Amendment in the Twenty-First Century: What Hath *Heller* Wrought?” 23 *William & Mary Bill of Rights Journal* 1143 (2015).

- “The ‘Originalism is Not History’ Disclaimer: A Historian’s Rebuttal,” 63 *Cleveland State Law Review Et Cetera* 1 (2015).
- “Finding History: How Captain Cortez Enloe’s Journal Sheds New Light on the History of the World War II Air Commandos and Operation THURSDAY,” 3 *Air Commando Journal*, Issue 4, 2015: 11-17.
- “Weighing the Constitutionality of State Immigration Verification Laws in the Wake of *Arizona v. United States*,” 27 *Journal of Civil Rights & Economic Development* 441 (2014) (invited) (lead article).
- “History in Law, Mythmaking, and Constitutional Legitimacy,” 63 *Cleveland State Law Review* 23 (2014) (invited).
- “The Statute of Northampton by the Late Eighteenth Century: Clarifying the Intellectual Legacy,” 40 *Fordham Urban Law Journal City Square* 10 (2013).
- “The Second Amendment and Militia Rights: Distinguishing Standard Model Legal Theory from the Historical Record,” 40 *Fordham Urban Law Journal City Square* 1 (2013).
- “Historical Reflections on the Beginnings of an Air Commando Theory,” 2 *Air Commando Journal*, Issue 3, 2013: 9-13.
- “The Second Amendment in Historiographical Crisis: Why the Supreme Court Must Reevaluate the Embarrassing ‘Standard Model’ Moving Forward,” 39 *Fordham Urban Law Journal* 1727 (2012) (invited).
- “Saving the Press Clause from Ruin: The Customary Origins of a ‘Free Press’ as Interface to the Present and Future,” 2012 *Utah Law Review* 1691 (2012).
- “Recentering Foreign Affairs Preemption in *Arizona v. United States*,” 60 *Cleveland State Law Review* 133 (2012).
- “The Faces of the Second Amendment Outside the Home: History Versus Ahistorical Standards of Review,” 60 *Cleveland State Law Review* 1 (2012) (lead article).
- “Decoding the Fourteenth Amendment’s Citizenship Clause: Unlawful Immigrants, Allegiance, Personal Subjection, and the Law,” 51 *Washburn Law Journal* 211 (2012) (invited and lead article).
- “Scribble Scrabble, the Second Amendment, and Historical Guideposts: A Reply to Lawrence Rosenthal and Joyce Lee Malcolm,” 105 *Northwestern University Law Review* 1821 (2011) (selected for print from Colloquy).
- “Restoring ‘Life, Liberty, and the Pursuit of Happiness’ in Our Constitutional Jurisprudence: An Exercise in Legal History,” 20 *William & Mary Bill of Rights Journal* 457 (2011).
- “The 1792 National Militia Act, the Second Amendment, and Individual Militia Rights: A Legal and Historical Perspective,” 9 *Georgetown Journal of Law & Public Policy* 323 (2011).
- “The Second Amendment Standard of Review After *McDonald*: Historical Guideposts and the Missing Arguments in *McDonald v. City of Chicago*,” 2 *Akron Law Journal of Constitutional Law & Policy* 7 (2011) (invited).
- “The Constitutional Significance of a ‘Well-Regulated’ Militia Asserted and Proven with Commentary on the Future of Second Amendment Jurisprudence,” 3 *Northeastern Law Journal* 1 (2011) (invited and lead article).
- “Scribble Scrabble, the Second Amendment, and Historical Guideposts: A Reply to Lawrence Rosenthal and Joyce Lee Malcolm,” 105 *Northwestern University Law Review Colloquy* 227 (2011).
- “Representation Without Documentation?: Unlawfully Present Aliens, Apportionment, the Doctrine of Allegiance, and the Law,” 25 *BYU Journal of Public Law* 35 (2011).

“Originalism, John Marshall, and the Necessary and Proper Clause: Resurrecting the Jurisprudence of Alexander Addison,” 58 *Cleveland State Law Review* 529 (2010) (lead article).

“The Plenary Power Doctrine and the Constitutionality of Ideological Exclusions: A Historical Perspective,” 15 *Texas Review of Law & Politics* 61 (2010).

“The Right of Self-Preservation and Resistance: A True Legal and Historical Understanding of the Anglo-American Right to Arms,” 2010 *Cardozo Law Review De Novo* 18 (2010) (invited).

“Arms for Their Defence?: A Historical, Legal and Textual Analysis of the English Right to Have Arms and Whether the Second Amendment Should Be Incorporated in *McDonald v. City of Chicago*,” 57 *Cleveland State Law Review* 351 (2009) (lead article).

NEWSPAPER AND ONLINE MEDIA PUBLICATIONS

“The Long Fight to Achieving Military Integration,” *Air Force Historical Research Agency* (Feb. 2023).

“The History of the Air Force Song,” *Air Force Historical Research Agency* (Sep. 2022).

“NRA Convention Protests Highlight US Gun Reform Divide,” *Deutsche Welle*, May 30, 2022.

Q&A with Frank Wilkinson, “America’s Long History of Gun Regulation,” *Bloomberg News* and *Washington Post*, November 3, 2021.

“A Historian’s Assessment of the Anti-Immigrant Narrative in *NYSRPA v. Bruen*,” *Second Thoughts: A Blog from the Center for Firearms Law at Duke University*, August 4, 2021.

“Judging the Ninth Circuits Use of History in *Young v. Hawaii*,” *Second Thoughts: A Blog from the Center for Firearms Law at Duke University*, April 16, 2021.

“The Black Panthers, NRA, Ronald Reagan, Armed Extremists, and the Second Amendment,” *Second Thoughts: A Blog from the Center for Firearms Law at Duke University*, April 8, 2019.

“The 90th Anniversary of NRA’s First Guiding Legislative Policies and the Implications for *NYSRPA v. City of New York*,” *Second Thoughts: A Blog from the Center for Firearms Law at Duke University*, December 1, 2019.

“The Untold, Somewhat Embarrassing Story Behind the NRA’s Laudatory Messages from Presidents Roosevelt, Truman, and Eisenhower,” *Second Thoughts: A Blog from the Center for Firearms Law at Duke University*, September 23, 2019.

“The NRA is Blaming Journalists for Gun Violence,” *Slate*, May 25, 2018.

“Why Does the NRA Almost Always Win?” *Buzzfeed News*, March 23, 2018.

“Conceal-Carrying the Day: We Debated Arming More People in the 1920s as a Solution to Gun Violence. The Idea Lost then, But It’s Winning Now,” *Slate*, March 6, 2018.

“Propaganda Machinery: How the NRA Pioneered the Right-Wing Art of Demonizing the Media,” *Slate*, February 28, 2018.

“How the Gun Lobby Came to Be So Powerful,” *Newsweek*, February 16, 2018.

“Justice Thomas Needs a History Lesson in the History of the 2nd Amendment,” *History News Network*, December 11, 2015.

“The Hollow Impact of *Moore v. Madigan* on Gun Control?” *Huffington Post*, December 12, 2012.

“The Tale of Two Second Amendments,” *Huffington Post*, September 7, 2012.

“Placing the Declaration of Independence in Historical Context: Thoughts on Educating Current and Future Generations About America’s Founding Document,” *ConSource Blog*, August 4, 2012.

Encyclopedia Entries “Second Amendment” and “Gun Control,” *Encyclopedia Britannica*, December 2010.

PUBLISHED BOOK REVIEWS

“Governing Immigration Through Crime: A Reader,” 28 *Journal of Immigration, Asylum, and Nationality Law* 409 (2014).

“The Latino Threat: Constructing Immigrants, Citizens, and the Nation,” 28 *Journal of Immigration, Asylum, and Nationality Law* 193 (2014).

PRESENTATIONS, PANELS, AND DEBATES

“5th Annual Firearms Research Works in Progress Workshop,” Texas A&M University School of Law, June 7-8, 2023.

“Debate with Stephen P. Halbrook: What Rights Does the Second Amendment Guarantee Outside the Home,” Federalist Society, November 17, 2021 (available online).

“Militias Challenge Gun Laws in Virginia: ‘It’s About Shooting Tyrants in the Face,’” *CBS News*, November 12, 2020 (available online).

“NRA Origins and 1930s Politics,” C-SPAN 3 American History TV, Washington, DC, January 3, 2020 (available online).

“A Right to Bear Arms? The Contested Role of History in Contemporary Debates on the Second Amendment,” 2020 American Historical Association Meeting, January 3, 2020.

“Jim Bohannon Show: *Armed in America* Book Talk,” *Westwood One Affiliates*, April 19, 2019 (available online).

“Law and Society Series: The Second Amendment 228 Years Later,” Riley Institute and Charleston Law Review, Charleston, SC, February 2019.

“Book Talk: History of Gun Rights in America,” National Constitution Center, Philadelphia, PA, February 2018 (available online).

“Guns in American Society,” Wesleyan University, Middletown, CT, October 2017.

“Firearms and the Common Law Tradition,” Aspen Institute, Washington, DC, September 2016.

“Fifty Years of 7th Special Operations Squadron History,” Duxford Imperial War Museum, Cambridge, UK, May 2014.

“History and the Meaning of the Constitution,” Cleveland-Marshall School of Law, Cleveland, Ohio, April 2014.

- “How Much Do We Really Know About Our Gun Laws?” *NPR WBEZ 91.5 Afternoon Shift*, Chicago, IL, January 14, 2013 (available online).
- “The Second Amendment is First on Our Minds,” *NPR WBEZ 91.5 Morning Shift*, Chicago, IL, January 14, 2013 (available online).
- “The Second Amendment Steps Outside,” *Huffington Post Live*, New York, NY, December 12, 2012 (available online).
- “The Objective Dilemma Facing State Immigration Enforcement,” Indiana University School of Law—Indianapolis Junior Faculty Workshop, Indianapolis, Indiana, March 2012.
- “Does the Second Amendment Extend Outside the Home?” Cleveland-Marshall School of Law, Cleveland, Ohio, March 2012.
- “Foreign Affairs Preemption and the Federal-State Spheres of Government,” St. John’s University School of Law Immigration Symposium, New York, New York, March 2012.
- “The History and Evolving Conceptions of the Right to Bear Arms,” Fordham School of Law Second Amendment Symposium, New York, New York, March 2012 (available online).
- “State Policy Potpourri: Some Comparative Assessments,” and “Curtailing Birthright Citizenship,” Washburn School of Law Breaching Borders Symposium, Topeka, Kansas, October 2011 (available online).
- “Law Enforcement Authority to Verify Immigration Status: *Estrada v. Rhode Island*,” Law Enforcement and Public Safety Channel, Washington, District of Columbia, April 2010.
- “*McDonald v. City of Chicago*: An Anglo-American Right to Arms?” Cleveland-Marshall School of Law, Cleveland, Ohio, April 2010.
- “Debate with Clark M. Neilly on *McDonald v. City of Chicago*,” Akron University School of Law Federalist Society, Akron, Ohio, April 2010.
- “Keynote Speaker for ‘Chamber to Chambers: Second Amendment Symposium,’” and “Panelist for ‘Who’s Right to Bear Arms?’” Northeastern University School of Law, Boston, Massachusetts, March 2010.
- “Bearing Arms in the Ohio Constitution,” Cleveland-Marshall School of Law, Cleveland, Ohio, April 2008.
- “Washington’s Decision: George Washington’s Decision to Reaccept Black Enlistments,” Trenton Chamber of Commerce Patriot Week, Trenton, New Jersey, December 2006.

AWARDS

- Joint Civilian Service Commendation Award, July 2019.
- Allan S. Major Award for Air Force History Program Excellence, July 2016 (Air Force Level Award).
- 24th Special Operations Wing Supervisory Civilian of the Quarter, Civilian Category IV, July 2015.
- Allan S. Major Award for Air Force History Program Excellence, July 2014 (Air Force Level Award).
- 352d Special Operations Group Supervisory Civilian of the Quarter, Civilian Category II, March 2013.
- 352d Special Operations Group Supervisory Civilian of the Quarter, Civilian Category II, March 2012.

Air Force Special Operations Command Excellence in Periodic History Award, February 2012.

Judge John R. Brown Award for Excellence in Legal Writing, August 2008 (National Award).

Certificate of Commendation, Commanding Officer, Marine Security Guard Battalion, May 2002.

Meritorious Mast, United States Marine Corps, April 2000.

Meritorious Mast, United States Marine Corps, August 1999.

Navy and Marine Corps Achievement Medal, United States Marine Corps, July 1999.

Certificate of Commendation, Commanding Officer, Marine Aviation Support Group, April 1998.

Exhibit 2

15

During the next two weeks we will have on sale for a week of the Morning Prince University Co. of Baltimore a large invoice of assorted Men's Underwear. The goods are CONSIGNED to us unconditioned with the understanding that the factory supplying heavy summer undershirts for fall wear during the warm months, but owing to manufacturing trouble east and west a heavy overstock is the result hence an effort to sell a southern order for the overabundance. Going to Major Department and are working to put in a line of these goods this late in the season was to reduce the entire lot, write the firm to advise what disposition they wished made of them, and in reply they said in order to save their expense of freight both ways to place the goods on sale FOR THEIR ACCOUNT and without a price time for two weeks and at the expiration of the time to return them all unsold goods. The line is displayed in our windows with prices attached and offers an opportunity to the fall to replenish these wardrobe as a winter's coat. Will be pleased to have the goods and prices compared with offerings at other houses.



H.B. Nistrot & Co.

Corpus Christi and Austin Streets.

WACO FURNITURE CO. UNDERTAKING
COFFINS, CASKETS, SROUDS, ETC.

人物: 胡德甫 2014.7.28 5:55:00

Section 1. That the public peace and order of the citizens of the city of Waco be secured by adding thereto article 112.

Section 3. That this ordinance shall not be in force until and after the date of its passage.

Approved: C. C. McDaniel,
Mayor.
Jesse Jones, City Secretary.

Art. 123. a. If any person shall so arm any assembly or religious assembly, any schoolroom, or other place where persons are assembled for any lawful use or for educational or religious purposes, or any bar office, hall or public exhibition, of any kind, or in a hall room, or social party, or social gathering, or to any meeting, conducted on the day of the flag of any election, where any portion of the people of the State are assembled for religious services, or to any other place where people may be assembled to conduct or to perform any public duty, or to any other public assembly, nor shall have or carry about his person a pistol or other firearm, or dagger, or any other sword-like or other hand-instrument, bow-knife, or any other kind of a knife, arms, weapon, and sold for the purpose of offense or defiance, he shall be punished by fine of not less than five nor more than five hundred dollars.

Service. That this ordinance will take effect within two days

(Signed) July 9th, 1971. Appeared
 C. F. McNEILSON
 Attorney Mapel

The missing link to connect the Atlantic Coast with Hawaii Island Railroad systems has again disappeared in the Texas Coastal segment and Waco is to be an elevated, walled town, a change to the Gulf of Mexico. Mr. Cross, a friend of Waco and the Texas is confident, the work which started yesterday, the Katy road, and the Gulf and New Orleans route will soon be busy. Many local citizens wish for good times in Waco, and his hope is middle in which that building second administration at Woodmen was known. The country's Success Waco really was by meeting. However, the Texas Southern capital today will be, apart in a short time and look under the Sun.

Two railfences on North Track
across, each of six ranges, well finished
type or built as a freight.

A 100-gram tin of unadorned plain
SATA has no trans fats or will
ing for \$5.99 to \$6.99.

Two 1½-in. square aluminum rods were fastened across the top of the tank of water and hung at 87.00 cm.

Holdings taken and lost, in all parts of Waco. Insurance property that perished inside.

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

Fig. 6. (a) and (b) are compared to obtain

THE BROAD CHURCH

May For Sale

Joe Williams has some very fine Subarus parked outside his store at 20 corner per mile. The last number of this frequent flyer at his office, under Hotel Motel.

Come to a Better Place.

In the morning, June 28, I will
open the museum at my new place on
Franklin, one block from my old home.
Better equipped than ever in 1949.
Joe S. Thompson

I have for sale a splendid business consisting of a fine hundred year farm in a high state of cultivation, with a splendid orchard, in the midst of the city. If you want a farm now is your chance. Price low, terms to suit.

For F. H. BARNES

Oyster has the best of rock.
 Oyster has the best of clam.
 Oyster has the best of scallop.
 Oyster has the best of shell.
 Oyster has the best of sea.
 Yes, Oyster has the best of all.

A Sheriff Addresses His Men on the Police

Fellow Citizens—The money you gave some time ago, extended the six million big note by less than one-third that amount. We took good part in that endeavor and we believe that we had as much to do with getting that reduction as anybody else in Water. There are certain other things that we took part in too, all of our we are proud to be which. We think the more of the notes at this time to build public buildings was very ill-considered, yet you know that the colored institution was as big as anybody and a lot bigger in certain ways. Get the idea.

But the matter we wanted to say was that we are making a very big reduction on all our stock. We can sell you a \$25 stove for \$16, a \$45 refrigerator for \$35—must be sold—\$50 sewing machine for \$25.00.

We have never been understood by any one. We can give you all the time you need. We only ask a cash payment down the

Exhibit 3

Exhibit 4

**T. P. MANUEL, Chairman Board of Trustees.
I. N. WATSON, Village Clerk.**

ORDINANCE NO. 23.

**AN ORDINANCE CONCERNING THE CARRYING OF
DEADLY WEAPONS.**

Be it ordained by the Board of Trustees of the inhabitants of the Village of Leonard, Mo., as follows:

SECTION 1. If any person shall carry concealed upon or about his person any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school-room or place where people are assembled for educational, literary or social purposes, or to any election precinct on any election day, or into any court room during the sitting of court, or into any other public assemblage of persons met for any lawful purpose other than for militia drill or meetings called under the militia law of this state, having upon or about his person any kind of fire-arms, bowie-knife, dirk, dagger, slung-shot or other deadly weapon, or shall in the presence of one or more persons, exhibit any such weapons in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated or under the influence of intoxicating drinks, or shall directly or indirectly sell or deliver, loan or barter to any minor any such weapon, without the consent of the parent or guardian of such minor, he shall upon conviction be punished by a fine of not less than fifty nor more than two hundred dollars.

SECTION 2. This ordinance shall be in force from and after its passage and publication.

Passed and approved July 6th, 1891.

**T. P. MANUEL, Chairman Board of Trustees.
I. N. WATSON, Village Clerk.**

TRUSTEE'S SALE

Exhibit 5

ORDINANCE NO. 9.

<p>1. Penalty for violations of this ordinance.</p> <p>2. Assault and battery.</p> <p>3. Failing to assist in making arrests, etc.</p> <p>4. Resisting arrest, etc.</p> <p>5. Permitting games of chance.</p>	<p>6. Betting.</p> <p>7. Disturbing religious meetings, etc.</p> <p>8. Carrying concealed weapons into assemblies, etc.</p> <p>9. Section 8 not to apply to police, etc.</p> <p>10. Conflicting ordinances repealed.</p> <p>11. Ordinance to take effect, when.</p>
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In Relation to Miscellaneous Offenses and Their Penalties.

Be it ordained by the Board of Aldermen of the City of Marceline, as follows:

SECTION 1. It shall be unlawful for any person to commit any of the acts hereinafter mentioned or enumerated within the corporate limits of the City of Marceline, and any person so offending shall be deemed guilty of a misdemeanor against the ordinances of the city, and for each offense shall be punished as hereinafter provided.

SEC. 2. Every person who shall commit an assault and battery or a common assault upon another, or indecently expose his person, shall, upon conviction, be punished by a fine of not less than one, nor more than one hundred, dollars.

SEC. 3. Every person who, without reasonable cause, shall fail to assist in making an arrest or committing any person to the city jail when required to do so by any police officer of the city in the performance of his official duty, shall be punished by a fine of not less than five, nor more than twenty, dollars, for every such offense.

SEC. 4. Every person who shall resist or attempt to hinder any officer of the city in the performance of his official duty, shall be punished by a fine of not less than ten, nor more than one hundred, dollars.

SEC. 5. Every person who shall suffer or permit any game of chance, upon the result of which any money or property or valuable thing whatever is bet, to be played in any building or room or upon any premises of which such person is the owner or has possession or control, shall be punished by a fine of not less than ten, nor more than one hundred, dollars.

SEC. 6. Every person who shall bet any money or property or valuable thing whatever upon the result of any game of chance shall be punished by a fine of not less than five, nor more than twenty-five, dollars.

SEC. 7. Every person who shall willfully or contemptuously disquiet or disturb any congregation or assembly of persons met for religious worship, or for social or literary purposes, by making a noise or by rude or indecent behavior, or profane discourse within the place of assembly, or so near the same as to interrupt or disturb the order or solemnity thereof, or who shall willfully menace, threaten or assault any person there being, shall be punished by a fine of not less than one, nor more than one hundred, dollars.

SEC. 8. Every person who shall carry concealed upon or about his person any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people have assembled for educational, literary or social purposes, or to any election precinct on any election day, or into any court room during the sitting of court, or into any other public assemblage of persons met for any lawful purpose other than for militia drill or meetings called under the militia law of this state, having upon or about his person any kind of fire arms, bowie-knife, dagger, slung-shot, or other deadly weapon, or shall in the presence of one or more persons exhibit any such weapon in a rude or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated or under the influence of intoxicating drink, or shall directly or indirectly sell or deliver, loan or barter, to any minor any such weapon without the consent of the parent or guardian of such minor, shall, upon conviction, be punished by a fine of not less than fifty, nor more than one hundred, dollars.

SEC. 9. The next preceding section shall not apply to any police officer, nor to any officer or person whose duty it is to execute process or warrants, or to suppress breaches of the peace or make arrests, nor to persons moving or traveling peaceably through this state, and it shall be a good defense to the charge of carrying such weapon if the defendant shall show that he has been threatened with great bodily harm, or has good reason to carry the same in the necessary defense of his person, home or property.

SEC. 10. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 11. This ordinance shall take effect and be in force from and after its passage.

Read three times and passed and approved this 12th day of March, 1892.

W. A. CATER, Mayor.
ABRAHAM ROOTS, President of Board.

ATTEST: J. HEMMING, City Clerk.

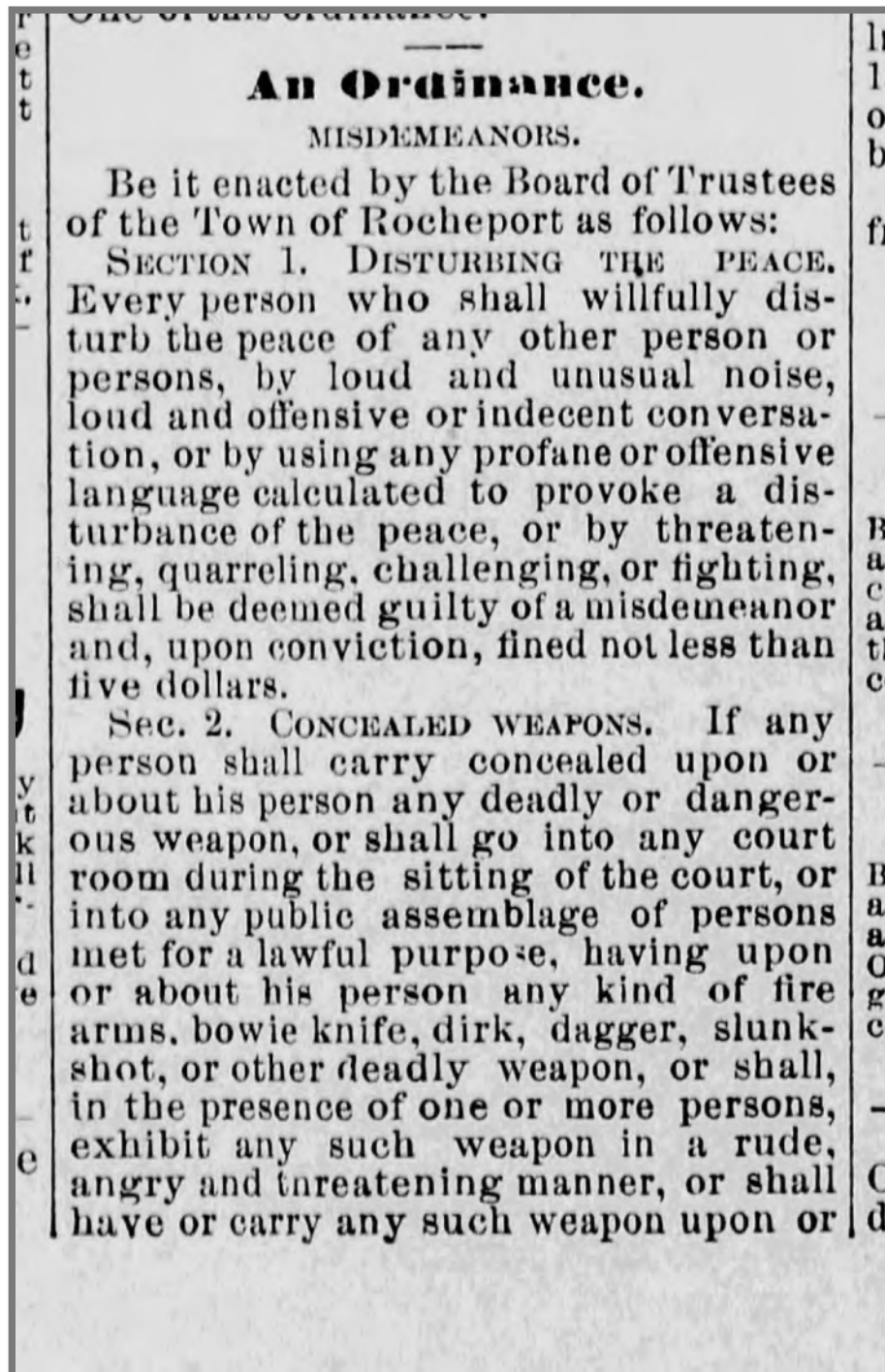
Exhibit 6

deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people have assembled for educational, literary or social purposes, or to any election precinct on any election day in said village, or into any court room during the sitting of court, or into any public assemblage of persons met for any lawful purpose, other than military drill or meetings called under the military law of the state, having on or about his person any kind of fire arms, bowie knife, dirk, dagger, slung shot or other deadly weapon, or shall, in the presence of one or more persons, exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon on or about his person when intoxicated or under the influence of intoxicating drinks, or shall directly or indirectly sell or deliver, loan or barter to any minor any such weapon, without the consent of his parent or guardian, he shall, upon conviction, be adjudged guilty of a misdemeanor, and fined in a sum not less than twenty-five nor more than one hundred dollars. Provided that this section shall not apply to officers or persons whose duty it is to execute warrants or suppress breaches of the peace, nor to persons traveling peaceably through said village, not a resident of said county.

SEC. 13. Every person who shall play at any game of any kind whatsoever for money or property, with dice, cards or any other devise which may be used in playing any game of chance, or in which chance is an element, or shall bet or wager on the hands, or cards or sides of such as do play in said village, shall be deemed guilty of a misdemeanor and punished by a fine of not less than ten nor more than one hundred dollars.

SEC. 14. Every person who shall either labor himself or compel or permit his apprentice or servants or any other person under his charge, or

Exhibit 7



about his person when intoxicated or under the influence of intoxicating drinks; or shall, directly or indirectly, sell or deliver, loan or barter, to any minor any such weapon without the consent of the parent or guardian of such minor, he shall be deemed guilty of a misdemeanor and punished by a fine not less than ten dollars nor more than twenty-five dollars.

Sec. 3. **BETTING PROHIBITED.** Any person who shall play at any game for money or property with cards, dice, or any other device, which may be adapted to or used in playing any game of chance, or shall, bet or wager on the hands, or cards, or sides of such as do play as aforesaid, shall be deemed guilty of a misdemeanor and, on conviction, be fined not less than five dollars.

Sec. 4. **RUCKLESS RIDING AND DRIVING.** If any person shall unnecessarily ride or drive any horse or other animal upon or through any street or alley at a greater speed than a moderate gait, or shall so negligently ride or drive any such animal as to cause such animal, or the vehicle thereto attached, to come in contact with, or strike and injury any person or property; or shall, leave any such animal standing in any street, ally, or open lot, without being fastened or so guarded as to prevent its running away, or shall turn any such animal loose upon any street or alley, he shall be deemed guilty of a misdemeanor and, on conviction, be fined not less than five dollars for every such offense.

Sec. 5. **OBSTRUCTING PASSAGE ON STREETS.** Whoever shall, upon or near a street or alley, fly a kite or engage in any sport or exercise likely to scare horses, injure persons passing upon such street, or embarrass the passage of vehicle, shall be deemed guilty of a misdemeanor, and, upon conviction, be fined not less than one dollar nor more than ten dollars for every such offense.

Sec. 6. **HITCH RACKS.** Any person who shall hitch any horse, mule, or other animal to any tree, post, block, fence, or other thing on Central street, between Third and Water streets, shall be deemed guilty of a misdemeanor, and fined not less than one dollar for every such offense. Provided, that this section shall not apply to doctors, nor to merchants, or butchers running a delivery wagon in connection with their business, and who shall be allowed to hitch such animals, so used in their business, to a post firmly set in the ground, at the edge of the sidewalk, immediately in front of their respective business houses. It shall be the duty of the Marshal to immediately remove or cause to be removed, all posts, rings, or other contrivances heretofore used for hitching purposes, except such as are herein provided for.

Sec. 7. **PRISONERS REFUSING TO WORK.** If any person adjudged to labor shall fail or refuse to obey any reasonable requirement of the Marshal, or to labor as directed, he shall be deemed guilty of a misdemeanor, and fined not less than ten dollars, for every such offense, to be enforced as other fines.

Sec. 8. **MARSHAL POSSE.** If any person, over the age of eighteen years, who, when called upon by the Marshal or assistant Marshal, to act as a posse to aid him, in arresting and taking prisoner any offender, shall refuse or neglect to do so, he shall be guilty of a misdemeanor, and fined three dollars.

Exhibit 8

Secretary.

Concealed or Deadly Weapons.

The following ordinance in relation to the carrying of concealed or deadly weapons was passed by the council at the regular meeting Tuesday night:

Be it ordained by the Council of the city of Warrensburg as follows:

Sec. 1. If any person shall within this city carry concealed upon or about his person any deadly or dangerous weapon or shall go into any church or place where people have assembled for religious worship, or into any school room, or place where people are assembled for educational, literary or social purposes, or to any election precinct on any election day, or into any Court room during the sitting of court or into any other public assemblage of persons met for any lawful purpose than for Militia drill or meetings called under the militia law of this state, having upon or about his person any kind of fire arms, bowie knife, dirk, dagger, slung shot or other deadly weapons, or shall in the presence of one or more persons, exhibit any such weapons in a rude, angry, or threatening manner or shall have or carry any such weapon upon or about his person when intoxicated or under the influence of intoxicating drinks or shall directly or indirectly sell or deliver, loan or barter, to any minor without the consent of the parents or guardian of such minor he shall upon conviction be punished by a fine of not less than fifty or more than two hundred dollars or by imprisonment not less than five days or more than six months or by both such fine and imprisonment.

Sec. 2. This ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

Passed June 3, 1890.

Approved June 5, 1890.

A. H. Gilkeson Dry Goods Co. one

Exhibit 9

J. E. WELLS, TOWN CLERK.
ORDINANCE NO. 4.
Be it ordained by the Board of Trustees of the inhabitants of the town of Collins, Missouri:
Sec. 1.—Any person found intoxicated within the corporate limits of said town shall be arrested and confined in the calaboose or town jail until he shall become sober when he shall be taken before the chairman of the board for trial. If such person be found guilty he shall be fined not less than Three nor more than Ten dollars for each offense.
Sec. 2.—Any person who shall use any profane, obscene or indecent language, or talk in a loud or unusual manner, or make any other loud or unusual noise, or threaten violence or quarrel or challenge any person to fight or feloniously obstruct or assist in hindering or obstructing the passage of any street, alley or or sidewalk, or encourage or entice any person or persons to challenge, quarrel or fight, or prevent or attempt to prevent the arrest of any person or persons, or prevent the suppression of any fight or disturbance within the corporate limits of said town shall, on conviction, be fined not less than One nor more than Ten dollars for each offense.
Sec. 3.—Any person or persons who shall in any manner disturb the peace of any person or family or citizens of said town shall, on conviction be fined not less than one nor more than fifty dollars for each offense and if any damage to property has been done, shall forfeit to the town for the use of the person so damaged double the amount of the loss occasioned by such damage.
Sec. 4.—Any person or persons who shall resist any officer of said town in the discharge of his duties in any manner whatever, or any person, who shall when required, refuse to assist any marshal or deputy marshal of said town in making arrests, quelling riots or executing process shall, on conviction, be fined not less than one nor more than fifty dollars for each time that such person or persons shall so resist or refuse.
Sec. 5.—Any person who shall within the corporate limits of said town, engage in any fight, fray, brawl, riot or tumultuous gathering, or who shall strike, beat, wound or assault another, shall, on conviction be fined not less than one nor more than fifty dollars for each offense.
Sec. 6.—Any person who shall carry any concealed weapon or any revolver, pistol, knife or club which may not be concealed within the corporate limits of the town of Collins, shall, upon conviction be fined not less than ten nor more than fifty dollars for each offense, except however, that upon good cause shown, the board may grant a permit to any citizen of good reputation to carry weapons for self defense.
Sec. 7.—Any person who shall draw or flourish in a threatening manner any firearm or dangerous weapon within the corporate limits of said town, shall upon conviction be fined not less than one nor more than seventy-five dollars for each offense.
Sec. 8.—Any person who shall discharge any firearms within the corporate limits of said town shall on conviction be fined not less than one nor more than fifteen dollars for each offense.
Sec. 9.—Any person who shall build a bonfire after 3 o'clock p. m. within the corporate limits of said town shall on conviction be fined not less than one nor more than ten dollars for each offense.
Sec. 10.—Any person who shall intentionally and unnecessarily ride or drive any animal or animals through the streets of said town or shall run, drive or lead any horse, mule, ass, ox, bull or cow upon, or hitch any such animal to any pavement, sidewalk or awning post, or who shall leave any team of horses or mules standing in the streets of said town harnessed to a vehicle and not secured, shall upon conviction, be fined in a sum not exceeding twenty dollars.
Sec. 11.—Any person who shall intentionally expose his person within the corporate limits of said town or the common thereto attached, shall on conviction be fined not less than five nor more than fifty dollars for each offense, and this section shall be construed to prohibit any person bathing in Cane Creek within the jurisdictional limits of the town.
Sec. 12.—Any person who shall in any manner obstruct the passage of any street, alley, sidewalk or crossing shall on conviction be fined not more than twenty dollars for each offense, and shall pay the cost of removing such obstruction.
Sec. 13.—Any person who shall sweep throw or place any straw, ashes, books, shavings, sawdust, or other rubbish or litter on any sidewalk or street or in any gutter or sewer of said town shall on conviction be fined not more than ten dollars and shall pay the costs of removing such rubbish or litter; but this section shall not apply to persons constructing any building.
Sec. 14.—Any person who shall establish, maintain or commit a nuisance upon or in any manner before any lot, street, yard, alley or common within the corporate limits of the town of Collins, shall on conviction be fined not less than twenty dollars for each offense.
Sec. 15.—Any person who has no visible means of support and shall be found loitering about the streets of said town, or frequenting dram shops and places of doubtful repute, shall be deemed a vagrant, and any person convicted of being a vagrant shall be fined not less than five nor more than twenty dollars.
Passed by the Board, May 2nd, 1887
J. E. Wells, Town Clerk.

Exhibit 10

ORDINANCE No. 8—Carrying Concealed Weapons.

Be It Ordained by the Board of Aldermen of the city of Craig, Missouri, as follows :

Any person who shall within the corporate limits of said city of Craig, carry or have upon his person, any concealed weapon or weapons, shall be adjudged guilty of a misdemeanor, and shall upon conviction be fined in any sum not less than one dollar, nor more than ten dollars.

P. B. Cook, President.

C. H. Thayer, Mayor.

Exhibit 11



Cuba Town Ordinancet.*[Continued from first page.]*

SEC. 17. Whoever shall in the town of Cuba either directly or in directly expose to sale or sell intoxicating liquors or keep the doors of his house open for the purpose of selling or exposing liquor for sale on Sunday shall be deemed guilty of a misdemeanor and upon conviction thereof be fined not less than five nor more than one hundred dollars.

SEC. 18. Every person being the owner of a slut who shall permit the same to run at large while in heat or proud shall be deemed guilty of a misdemeanor and upon conviction be fined not less than one nor more than five dollars.

SEC. 19. This ordinance shall be in force and effect from and after its approval.

Approved May 24, 1882.

Attest: JAS. A. GREEN, Chm'n.

M. H. HELLYER, Clerk.

CLARENCE IV

Exhibit 12

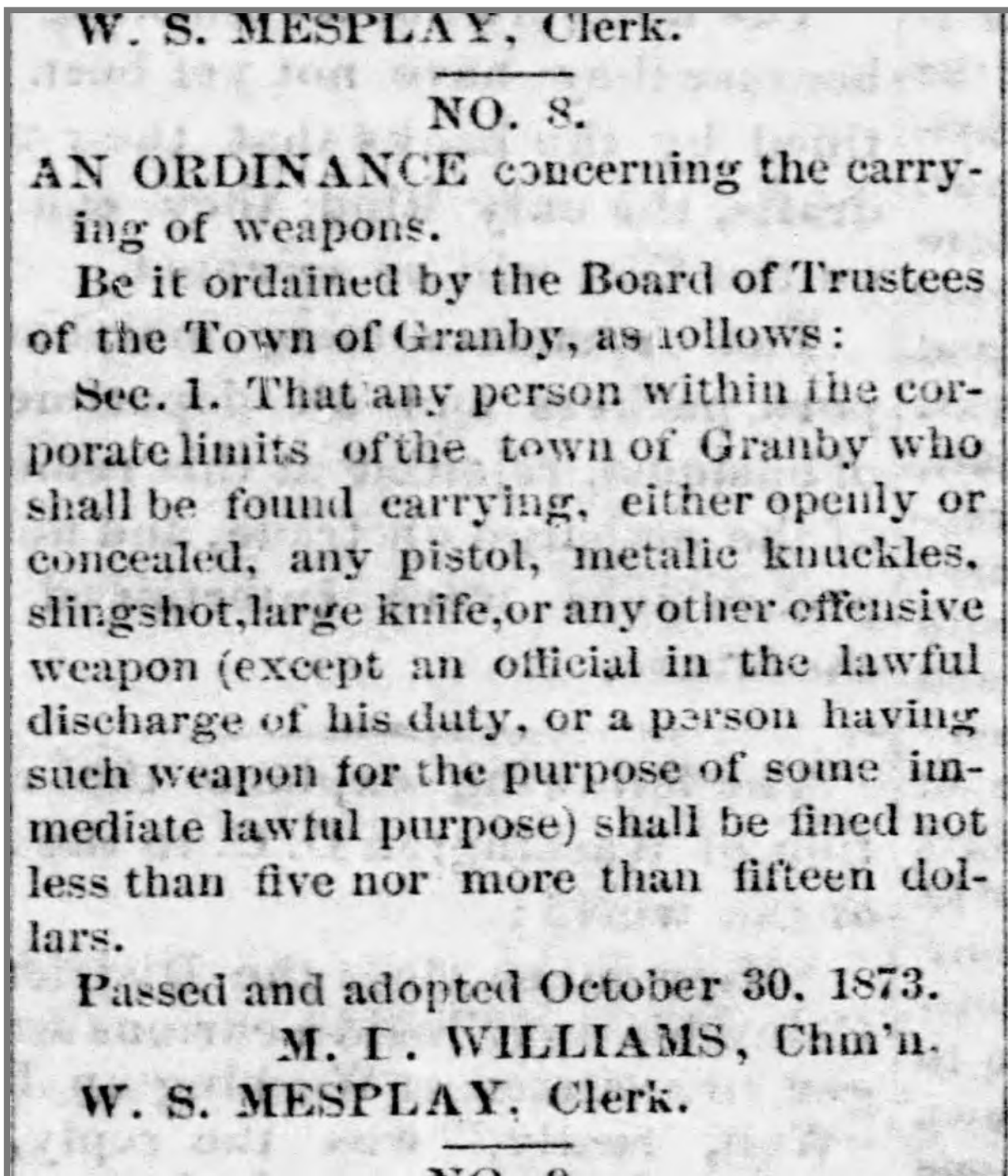


Exhibit 13

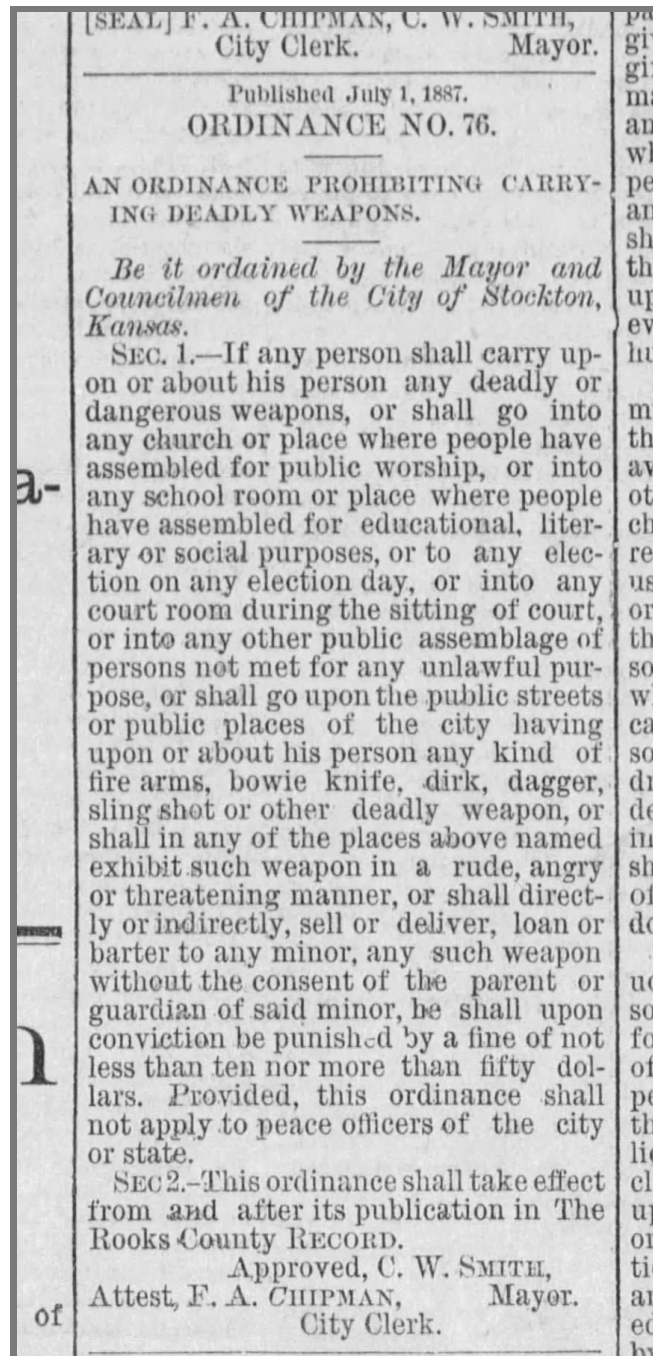


Exhibit 14

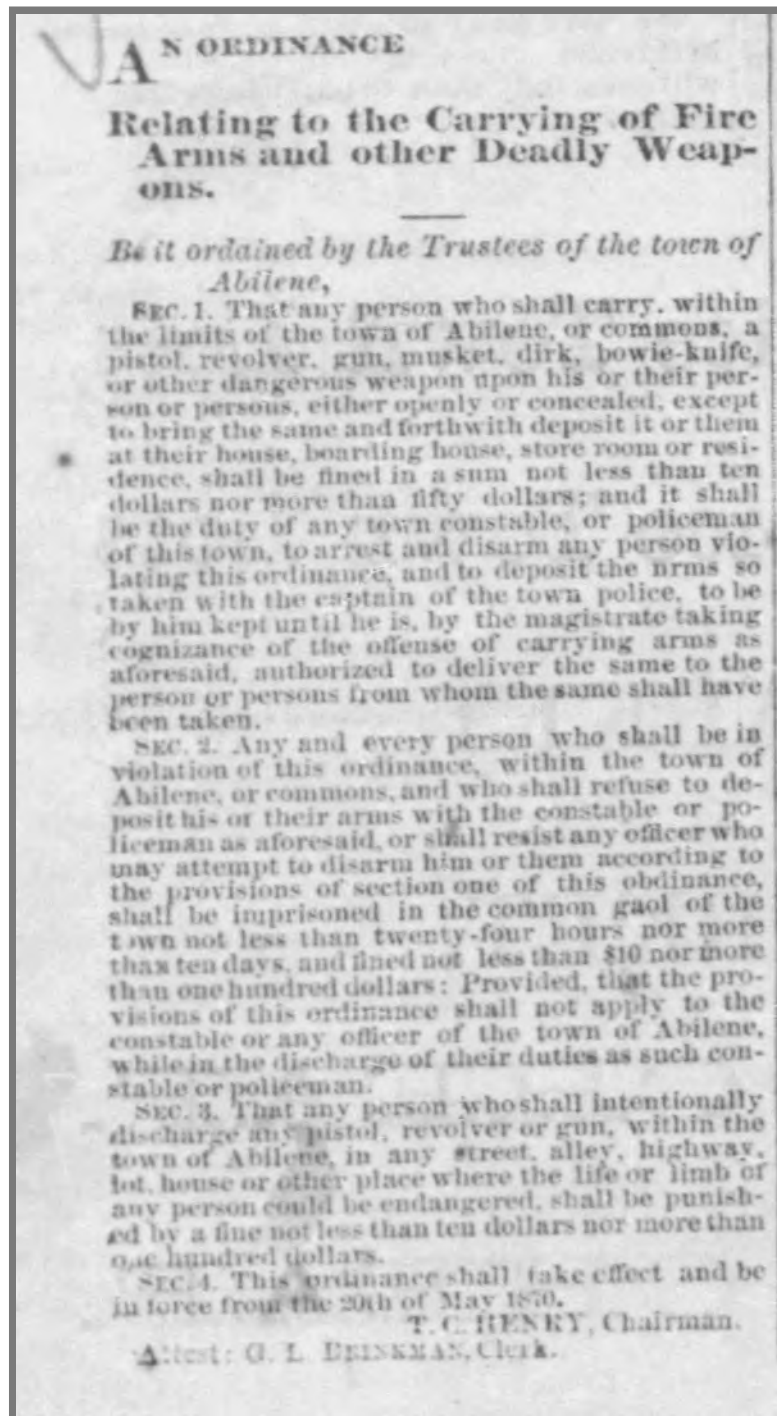


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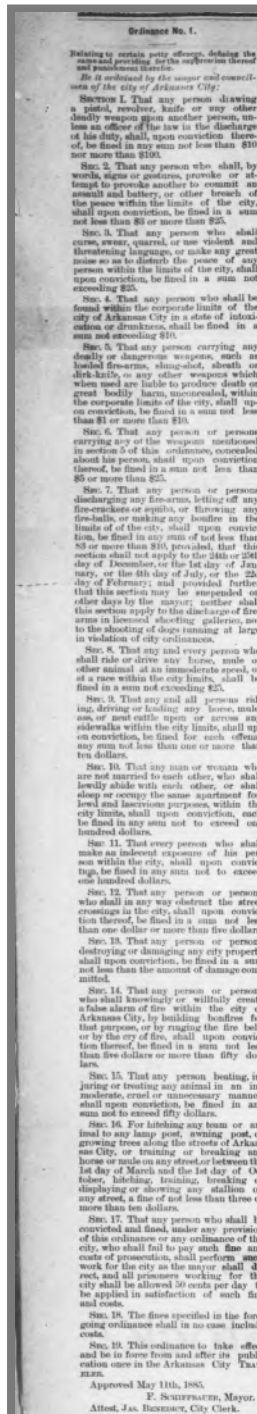


Exhibit 16

Ordinance No. 5.

An ordinance in relation to the carrying of fire-arms or other weapons.

Be it ordained by the Mayor and Councilmen of the City of Beloit.

Section 1. That any person who shall be found within the corporate limits of this city with any revolver, pistol, gun, sword, dagger, dirk or any other dangerous or deadly weapon concealed or otherwise shall be deemed guilty of a misdemeanor; Provided, that this act shall not be construed in such a manner as to prevent any person or persons from carrying a gun or rifle through the street for the known and avowed purpose of hunting in the country.

Approved Sep. 9th, 1872.

T. F. HERSEY,

L. J. BEST,

Mayor.

City Clerk.

Exhibit 17

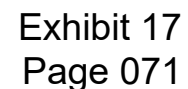


Exhibit 17
Page 072

ate one hundred dollars.

the Sec. 10. Any person carrying any
ne- deadly or dangerous weapon, such
ort as firearms, slung shot, sheath or
to dirk knife or any other weapon
ub- which when used is liable to produce
the death or great bodily harm, uncon-
cet cealed, within the corporate limits
to of the city, shall upon conviction,
all be fined in a sum not less than ten.
ty, nor more than one hundred dollars.

uly Sec. 11. Any person or persons
the carrying any deadly or dangerous
nst weapons concealed about their per-
re- son, such as firearms, slung shot,
nce sheath or dirk knife, brass knuckles
as or any other weapon, which when
his used are liable to produce death or
aid great bodily harm and injury, shall,
ete upon conviction be fined in a sum
ng not less than fifteen nor more than
ria- one hundred dollars for each and
un- every offense.

rg- Sec. 12. Any person who shall
di- within the limits of the city, dis-
me- charge or shoot off any gun, pistol,
ind or other firearms, shall upon convic-
be tion thereof, be fined not less than
ate one nor more than twenty-five dol-
the lars.

Sec. 13. Any person who shall

Exhibit 18



violating this section shall be deemed guilty of a misdemeanor,

CONCEALED DEADLY WEAPON.

SEC. 8. Any person or persons, other than the duly appointed and commissioned officers of this city, or officers of this county or State, carrying concealed deadly weapons, such as pistols, revolvers, slung-shots, dirks or bowie-knives, within the corporate limits of the city, shall, upon conviction, be deemed guilty of a misdemeanor.

OPEN LEWDNESS AND DISORDERLY HOUSES.

SEC. 9. If any person shall be guilty of open lewdness or other notorious act of public indecency tending to debauch the public morals, or shall maintain or keep a lewd house or place of fornication, or shall keep a common, ill-governed and disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior, or who shall keep and maintain a common bawdy house, or house of ill-fame, shall, on conviction, be deemed guilty of a misdemeanor.

DRUNKENNESS.

SEC. 10. If any person shall be drunk in any highway, street, or in any public place or building, or if any person shall be drunk in his own house, or in any private building or place, disturbing his family or others, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars, or by imprisonment in the calaboose or county jail for a period not exceeding thirty days. Prosecutions under this section must be commenced within thirty days after the said misdemeanor is alleged to have been committed.

WEAPONS TO MINORS.

SEC. 11. Any person who shall sell trade, give, loan or otherwise furnish any pistol, revolver or toy pistol, by which cartridges or caps may be exploded, or any dirk, bowie-knife, brass knuckles, slung-shot, or other dangerous weapon to any minor, or to any person of notoriously unsound mind, shall be deemed guilty of a misdemeanor, and shall, upon conviction before the Police magistrate, or any Justice of the Peace acting in such capacity, be fined not less than five nor more than one hundred dollars.

POSSESSION OF A MINOR

SEC. 12. Any minor who shall have in

Exhibit 19

[Published March 11th, 1898.]

Ordinance No. 165.

An Ordinance Prohibiting the Use and the Carrying of Fire Arms and Other Deadly Weapons.

Be it Ordained by the Mayor and Councilmen of the City of Elk City, Montgomery County, Kansas.

SECTION 1. That any person within the corporate limits of said city of Elk City, who shall draw any pistol or other weapon in a hostile manner, or shall make any demonstration or threat at using such weapon on or against any person, or any person who shall carry or have on his or her person in a concealed manner, or otherwise any pistol, dirk, bowie-knife, revolver, slung-shot, billy, brass, lead or iron knuckles, or any deadly weapon of any kind within the corporate limits of said city, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum of not less than five dollars nor more than one hundred dollars. Provided, that this ordinance shall not be so construed as to prohibit officers of the law from being armed.

SEC. 2. Be it further ordained that all ordinances or parts of ordinances in any manner conflicting with this ordinance, be, and the same are, hereby repealed.

SEC. 3. Be it further ordained that this ordinance shall be in full force and effect on and after its publication in the Elk City ENTERPRISE, the duly designated official paper of said city published and of general circulation therein. Passed and approved this 7th day of March, A. D. 1898.

[SEAL.] J. A. BROWN, Mayor.
Attest: JOHN A. LOGAN, City Clerk.

STATE OF KANSAS, }
MONTGOMERY COUNTY, } ss
CITY OF ELK CITY. }

I, J. A. Logan, City Clerk of Elk City, do hereby certify that the above and foregoing ordinance was read and considered by sections at a public meeting of the City Council of said city, held on the seventh day of March, A. D. 1898. And was duly passed section by section and then as a whole by said Council. In witness whereof I have hereunto subscribed my name and caused the seal of said city to be affixed thereto.

[Seal.] J. A. LOGAN, City Clerk.

Exhibit 20

DAILY SENTINEL.
PUBLISHED EVERY EVENING.

J. L. BENDIS, EDITOR.

OFFICE—Harper Railway First National Bank building, Central avenue north.
By carrier, per annum, in advance, \$5.00
By mail, per year, in advance, \$4.00
By express, per year, in advance, \$4.00
All advertisements to be paid for in advance.

Harper, Kansas, August 23, 1887.

Ordinance No. 178.
[First published, August 23, 1887.]
An ordinance legalizing the erection of calaboose and declaring its use.
Be it ordained by the Mayor and Council of the city of Harper:

SECTION 1. That the calaboose heretofore erected under the provisions of Ordinance No. 13, approved December 27, 1886, be and the same is hereby declared to be the only and legal calaboose of said city, and the marshal and police of said city of Harper are directed to use the same in all cases of arrest, when confinement is necessary.

SEC. 2. This ordinance shall take effect and be in force from and after its passage on being published according to law in the Harper Daily Sentinel.

Attest: J. W. HINER, Mayor.
AMBER BOWEN, Clerk.

Ordinance No. 180.
[First published, August 23, 1887.]
An ordinance defining and punishing misdemeanors.
Be it ordained by the Mayor and Council of the city of Harper:

SECTION 1. That it shall be unlawful for any person within the limits of the city of Harper to publicly curse, swear or use abusive language towards another person, or publicly use profane, blasphemous, obscene, abusive or offensive language, or to disturb the good order and tranquility of the city by violent, tumultuous, offensive or disorderly conduct, or by violence or maliciously assaulting another, or by quarreling or fighting with another person under any pretense whatever.

SEC. 2. That it shall be unlawful for any person able to work and support himself in an honest and respectable calling to be found loitering or strolling about any of the streets, alleys or public grounds or public places within the city of Harper not having any regular or lawful business, or who shall occupy for the purpose of loafing or any other purpose without permission of the owner or party entitled to the possession thereof, any barn, shed, shop or other place, other than such as is kept for that purpose, and all gamblers, tricksters and disorderly persons, or Cyprians, fortune-tellers, street beggars and all persons without visible means of support, and unemployed in any business, occupation or labor within said city, and all persons who harbor any of the persons and characters, described in this section, are declared vagrants, and shall be deemed guilty of a misdemeanor.

SEC. 3. That it shall be unlawful for any person within the limits of the city of Harper in any manner or by any means to disturb the peace and quiet of any assemblage of persons met for religious worship by making any unusual noise or by rude or indecent behavior or conduct, or in any manner by profane discussion within any place of worship so near the same as to disturb the order or solemnity thereof, any such conduct shall be deemed a misdemeanor.

SEC. 4. That it shall be unlawful for any person within the limits of the city to disturb any lawful assemblage of people by rude or indecent behavior or by making intentionally any unusual noise at or near such assemblage.

SEC. 5. That it shall be unlawful for any person within the city limits to knowingly give or make any false alarm of fire, or to ring any church or other bell, at unusual hours, or for any person other than calling the people to assemble, or for an alarm in case of actual fire, or other danger threatening the city or the inhabitants.

SEC. 6. That it shall be unlawful for any person to ride or drive any horse, mule or other animal at a rapid or reckless rate of speed, either with or without a vehicle attached thereto, through any of the streets, alleys or public grounds of the city, or to engage in any horse or mule race within said city, or to drive or place any wagon or vehicle upon any paved or plank sidewalk, or leave the same or any animal standing on or across any foot-way crossing any street or alley in the city.

SEC. 7. That it shall be unlawful for any person under the age of 18 years to climb on, hang to, or ride upon any railroad, engine or car within the limits of said city; provided, this ordinance does not prevent any such persons from entering the cars at the depot when not in motion.

SEC. 8. That it shall be unlawful for the owner or person lawfully in possession of any horse, mule, cow, dog or other animal, to allow or permit the same to run at large within the corporate limits of said city or to picket the same, and that any such animal who crosses any street or alley with picket rope while so picketed out, and in addition to the fine hereinbefore imposed for the violation of this section, any such animal found running at large within the limits of said city may be taken up by the city marshal or police and impounded, and for each animal so impounded, the marshal shall be entitled to receive 50 cents for taking up and impounding and 25 cents each day for keeping and feeding, same to be paid by the owner or person for the same, before removing same from the pound, or care of the marshal, and said sum are hereby declared to be a lien on such animals so impounded.

SEC. 9. That it shall be unlawful for any person owning or having in possession any glandered horse, mule or other animal, or any such animal suffering with any contagious disease, to allow it to remain within the city limits of said city of Harper.

SEC. 10. That it shall be unlawful for any person (not an officer) in the discharge of duty to draw a pistol, revolver, knife or any other deadly weapon upon another or to assault another person therewith.

SEC. 11. That it shall be unlawful for any person to be found drunk, or in a state of intoxication in any street, alley, public park or other public place within the corporate limits of the city of Harper.

SEC. 12. That it shall be unlawful for any person to carry any deadly or dangerous weapon, such as a fire arm, slung shot, bowie or dirk knife, billie, brass or metal knuckles or any other dangerous implement, which, when used, are liable to produce death or great bodily harm, within the corporate limits of said city.

SEC. 13. That it shall be unlawful for any person or persons to discharge or shoot of any gun, pistol or other fire arm, or fire, shot or discharge any squib, fire crackers, rockets, torpedos or any other species of fire works within the corporate limits of said city.

SEC. 14. That it shall be unlawful for any person to stand for mares or put to service any stallion or jack within the corporate limits except it be away from all public places or places of business and that under close cover so as not to be seen from the outside of place or building.

SEC. 15. That it shall be unlawful for any butcher, or owner, or keeper of any meat market to kill or slaughter any animal or cause or permit it to be done within the corporate limits of said city and it shall be unlawful for any owner or keeper of any butcher shop, meat market, or other place for storing or selling meat to build any fire or permit it to be done by others out of doors and within the city limits for the purpose of rendering lard or tallow, boiling water or other purpose. And it shall be unlawful for any person to build or permit to be built any fire out of doors in the city limits so as to endanger the property of any person of said city.

SEC. 16. That it shall be unlawful for any person or persons to keep or allow to be kept for any purpose whatever any hog, dog, pig or pup or swine of any kind, on any lot within the original townsite of Harper, and the keeping of any such is hereby declared to be a nuisance and in addition to the fine imposed, it is made the duty of the marshal to cause such nuisance to be abated.

SEC. 17. That it shall be unlawful for any person or persons to stack any hay, straw, or other combustible matter on any lot in the original townsite of Harper. All hay or straw kept on said lots to be kept in tight buildings and well protected and it is made the duty of any person or persons owning or having in control any lot or piece of ground in any of said original town to see that no loose hay, straw, shavings, or other combustible matter be left on said lot or piece of ground under their control.

SEC. 18. That it shall be unlawful for any person or persons by said clerk, agent or otherwise to keep any house, room or place for the purpose of allowing or permitting persons to assemble and play at any game or games of roulette, faro, keno, cards, gift enterprises, chuck-shoot, hazard or any other gambling game or gambling device by whatever name known or called, within the limits of said city, and the keeping of any such prohibited place shall be a separate and distinct offense for each day the same is so kept or used.

SEC. 19. That it shall be unlawful for any person or persons or corporations or companies to occupy more than three feet of the sidewalk on Main street or Central Avenue in front of their respective place of business for the purpose of displaying goods and said three feet if so used to be on the side of walk next to the building.

SEC. 20. That it shall be unlawful for any person, persons or corporation to erect or maintain any barbed wire fence on the line of any lot adjoining or along any street in said city.

SEC. 21. That it shall be unlawful for any person or persons to set up, run, maintain, carry on or engage in any gambling, device, games of chance, or hazard, three card monte, sale of soap, or other commodity with chance of money or things connected therewith or any other of the so-called street games or thimble rigges or devices, intended to gain something from the public outside of legitimate trade, street jewelry and lottery sales, and all species of ring playing and all other sleight-of-hand tricks and performance within the corporate limits.

SEC. 22. That any person, persons or corporations who shall violate any one or more of the foregoing sections of this ordinance, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than one dollar nor more than one hundred dollars for each offense, and on such conviction, shall stand committed to the public jail or calaboose until the fine and cost are paid.

SEC. 23. All ordinances in conflict with this are hereby repealed.

SEC. 24. This ordinance shall take effect and be in force from and after its passage on being approved and published in the manner required by law in the Harper Daily Sentinel.

Attest: J. W. HINER, Mayor.
AMBER BOWEN, Clerk.

Ordinance No. 181.
[First published, August 23, 1887.]
An ordinance to restrain and prohibit prostitution, or keeping houses of ill-fame.
Be it ordained by the Mayor and Council of the city of Harper:

SECTION 1. That it shall be unlawful for any person or persons within the corporate limits of the city of Harper to keep a house of ill-fame or place resort to for the purposes of prostitution or lewdness, or to keep a disorderly or ill-governed house or place for the practice of prostitution or for the resort of persons of evil name or reputation, or dishonest conversation; or to knowingly permit or suffer other persons to meet at his or their house or place for such purpose, or commit or suffer to be committed therein any immoral, indecent, or other improper or vulgar conduct or behavior, or any tipping, revelling, rioting or disturbance and all persons, male or female, who resort to such disorderly house, or house of ill-fame, for purposes of prostitution or debauchery, shall be deemed guilty of a misdemeanor and on conviction shall be fined in any sum not less than \$10 nor more than \$100 and cost of prosecution and stand committed until fine and costs are paid.

SEC. 2. That it shall be unlawful for any female, unmarried, to submit herself to, or have illicit intercourse with, any person at any time or place within the limits of the city of Harper, or to suffer herself to be taken to any hotel or other place for the purpose of illicit intercourse, and it shall be unlawful for any man to entice or cause any female to go to any place within the city of Harper for the purpose of having illicit intercourse or does have illicit intercourse with such person, and any person or persons, male or female, who violates any of the provisions of section 2 of this ordinance shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than \$10 nor more than \$100 and cost of prosecution and stand committed until fine and cost are paid.

SEC. 3. This ordinance shall take effect and be in force from and after its passage and publication according to law in the Harper Daily Sentinel.

Attest: J. W. HINER, Mayor.
AMBER BOWEN, Clerk.

Ordinance No. 182.
[First published, August 23, 1887.]
An ordinance relating to the health and cleanliness of the city.
Be it ordained by the mayor and council of the city of Harper:

SECTION 1. That it shall be unlawful for any person, persons or corporation

son therewith.

SEC. 11. That it shall be unlawful for any person to be found drunk, or in a state of intoxication in any street, alley, public parks or other public place within the incorporate limits of the city of Harper.

SEC. 12. That it shall be unlawful for any person to carry any deadly or dangerous weapon, such as fire arms, slung shots, sheath or dirk knife, billies, brass or metal knuckles or any other dangerous implement, which, when used, are liable to produce death or great bodily harm, within the incorporate limits of said city.

Sec. 13. That it shall be unlawful for

Exhibit 21

[Published May 22, 1889.]

ORDINANCE NO. 72

An ordinance to prevent carrying concealed weapons and the discharge of firearms.

Be it ordained by the Mayor and Councilmen of the City of Howard:

Section 1. Any person who shall, within the corporate limits of the city of Howard have or carry concealed or partially concealed upon his or her person any revolver, pistol bowie knife dagger, slung shot or other deadly weapon, shall, on conviction thereof, be fined in any sum not less than one dollar nor more than fifty dollars and costs. Provided, this section shall not apply to peace-officers of the city or state. The carrying of a weapon in a holster exposed to full view shall not be deemed a concealed or partially concealed weapon under this section.

Section 2. Any person who shall, within the corporate limits of the city of Howard, discharge any firearms, except by permission of the Mayor, or when mustered for drill or review, or otherwise acting under the command, or by permission of some commissioned officer, or where done in self-defense, or for the protection of gardens and yards from destructive animals, shall, upon conviction thereof, be fined in any sum not less than One nor more than Fifty Dollars and costs.

Section 3. This ordinance shall take effect and be in force from and after its publication once in the Howard DEMOCRAT.

Passed May 16, 1889.

Approved by me this 16th day of May, 1889.

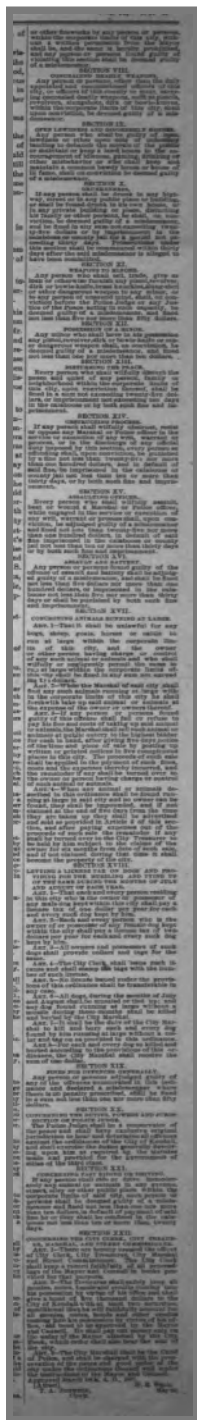
R. F. GLENN,

Mayor of the city of Howard.

Attest: W. D. BURNS, City Clerk,

Exhibit 22

of	Clerk.	
m-	Be it ordained by the Mayor and Councilmen	be
of	of the City of Kendall, Hamilton County,	di
to.	Kansas:	su
ry	SECTION I.	
nd	DISCHARGING FIREARMS.	ar
is	If any person shall within the corporate	ne
	limits of the City of Kendall, fire or discharge	th
	any gun, fowling-piece, pistol, revolver, or	in
	firearm of any kind or description, or any	de
	other thing containing powder or combusti-	cc
	bles, or anything made of nitro-glycerine,	
	without first having obtained permission	
	from the Mayor in writing, every such per-	
	son shall be deemed guilty of a misdemeanor.	
re	SECTION II.	th
on	INDECENT DRESS AND LEWD CONDUCT.	ju
of	Any person who shall appear in any public	as
per	place within the corporate limits of the city	ar
re-	in a state of nudity, or a dress or garb not be-	in
a	longing to his or her sex, or an indecent or	m
as.	lewd dress or shall make an indecent expos-	ei
	ure of his or her person, or be guilty of any	
	lewd or indecent behavior, shall be deemed	
	guilty of a misdemeanor.	
	SECTION III.	at
	OBSCENE BOOKS, &c.—INDECENT PLAYS.	st
of	Any person who shall exhibit, sell or offer to	oc
ke	sell, or give away, any indecent, lewd or ob-	pe
ter	scene book, picture or other thing or	m
n-	shall exhibit or perform any indecent	th
ed	play or other representation, every such	st
of	person shall be deemed guilty of a	be
ag-	misdemeanor.	de
oli-	SECTION IV.	cc
ne-	FLYING THE VOCATION OF A PROSTITUTE.	
ch	Any prostitute or lewd woman who shall	of
	within the corporate limits of this city, by	ar
	word, sign, letter, picture, action, or the dis-	sh
	tribution of cards or other thing, ply her vo-	in
	cation upon the streets, at any door, or win-	vi
	dow of any house of this city, or at any other	
	place within the limits of the same, shall be	
	deemed guilty of a misdemeanor.	
ip-	SECTION V.	m
	CRUELTY TO ANIMALS.	bi
	Any person who shall inhumanly and unneo-	gi
	cessarily beat, injure, or maltreat any dumb an-	Cl
	imal or animals within the corporate limits of	oc
	this city, shall be deemed guilty of a misde-	al
	meanor.	oc
re	SECTION VI.	st
u.	DISPLAY OF DEADLY WEAPONS.	th
ss;	It shall be unlawful for any person or	@
ou	persons to display or make any im-	th
at	proper use of any deadly weapon within the	
on	corporate limits of this city. Any person vi-	or
ss;	olating this section shall be deemed guilty of a	ei
nd:	misdemeanor, and it shall be the duty of the	ti
	City Marshall and all police officers of said	A
	city to arrest any and all persons found vi-	
	olating this section, with or without process.	
	SECTION VII.	
	FIRE CRACKERS, &c.	
	The explosion of fire crackers, torpedoes,	



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OBSCENE BOOKS, &c.—INDECENT PLAYS.
Any person who shall exhibit, sell or offer to sell, or give away, any indecent, lewd or obscene book, picture or other thing or shall exhibit or perform any indecent play or other representation, every such person shall be deemed guilty of a misdemeanor.

SECTION IV.
PLYING THE VOCATION OF A PROSTITUTE.
Any prostitute or lewd woman who shall within the corporate limits of this city, by word, sign, letter, picture, action, or the distribution of cards or other thing, ply her vocation upon the streets, at any door, or window of any house of this city, or at any other place within the limits of the same, shall be deemed guilty of a misdemeanor.

SECTION V.
CRUELTY TO ANIMALS.
Any person who shall inhumanly and unnecessarily beat, injure, or maltreat any dumb animal or animals within the corporate limits of this city, shall be deemed guilty of a misdemeanor.

SECTION VI.
DISPLAY OF DEADLY WEAPONS.
It shall be unlawful for any person or persons to display or make any improper use of any deadly weapon within the corporate limits of this city. Any person violating this section shall be deemed guilty of a misdemeanor, and it shall be the duty of the City Marshal and all police officers of said city to arrest any and all persons found violating this section, with or without process.

SECTION VII.
FIRE CRACKERS, &c.
The explosion of fire crackers, torpedoes, street, alley or other public place within the corporate limits of said city, such person or persons shall be deemed guilty of a misdemeanor and fined not less than one nor more than ten dollars, in default of payment of said fine he or they shall be confined in the calaboose not less than ten or more than twenty days.

SECTION XXII.
CONCERNING THE CITY CLERK, CITY TREASURER, MARSHAL, AND STREET COMMISSIONER.
ART. 1—There are hereby created the offices of City Clerk, City Treasurer, City Marshal and Street Commissioner. The City Clerk shall keep a record faithfully of all proceedings of the Mayor and Council in books provided for that purpose.
ART. 2—The Treasurer shall safely keep all monies, notes, bonds and credits coming into his possession by virtue of his office and shall give a bond of five thousand dollars to the City of Kendall with at least two securities, conditional that he will faithfully account for all monies, notes, bonds and other credits coming into his possession by virtue of his office, said bond to be approved by the Mayor and Council. He shall pay out money only on the order of the Mayor attested by the City Clerk, which order shall also bear the seal of the city.
ART. 3—The City Marshal shall be the Chief of Police, and shall be charged with the preservation of the peace and good order of the city under the ordinances thereof and under the instructions of the Mayor and Council.
Approved March 18th, A. D., 1887.
[Attest]
T. A. JOHNSON, Clerk.
H. B. BALL, Mayor.

Exhibit 23



costs are paid or replevied.
[Published Nov., 28th 1885.]
ART. VI. SEC. I.
WEAPONS.
Sec. 11. Be it ordained by the
mayor and councilmen of Meade
Center in the state of Kansas, that it
shall be unlawful for any person or
persons who are not authorized by
the laws of the United States or of
the state of Kansas or of the said
city of Meade Center, who shall be
found within the incorporate limits
of said city of Meade Center, carry-
ing on his person a pistol, bowie
knife, dirk, or other deadly weapons,
shall be subject to arrest upon charge
of misdemeanor and upon conviction
shall be fined in any sum not exceed-
ing \$25, and stand committed until
paid or replevied.
[Publishen Nov., 28th 1885.]
ART. VII. SEC. I.

Exhibit 24

doubt.

ORDINANCE NO. TWELVE,

Peace, Good Government and General Welfare,

Be it ordained by the Mayor and Councilmen of the city of Mt. Hope Kansas.

SEC. 1. That any person who shall beat, wound or assault another, or obstruct, oppose, or resist any city officer in the discharge of his duty, shall upon conviction be fined in any sum not less than three dollars nor more than twenty-five dollars and costs of suit.

SEC. 2. That any person, not an officer or traveler, who shall carry any knives, (except pocket knives) firearms, brass knucks, slung shots or other deadly weapons, concealed, within the corporate limits of the city of Mt. Hope, shall be deemed guilty of an offense, and upon conviction thereof shall be fined for each and every offense, the sum of ten dollars and costs of suit.

SEC. 3. That any person under the age of twenty one years of age, who shall be found carrying any deadly weapon, concealed or otherwise, shall be deemed guilty of an offense, and upon conviction thereof, shall be fined in any sum not more than ten dollars and costs of suit. PROVIDED, this does not apply to any one leaving the city on a hunting expedition, or returning therefrom.

SEC. 4. That whoever disturbs any assembly of people met for a lawful purpose, or shall disturb the peace and quiet of the city, or any neighborhood, family or person, within the corporate limits of the city of Mt. Hope, by any improper conduct, or by loud or unusual noises, vulgar or offensive language, quarreling, fighting or challenging to fight or display any firearms or other deadly weapons, shall be deemed guilty of an offense, and upon conviction thereof be fined in any sum not less than three dollars, nor more than twenty-five dollars and costs of suit.

SEC. 5. That whoever discharges any firearms, or throws any stones or missiles by the hand or by the means of any device, or shall break, mar, deface, injure or destroy, any property, public or private, real or personal, not his own, within the corporate limits of the city of Mt. Hope, shall be deemed guilty of an offense and upon conviction thereof be fined in any sum not less than three dollars, nor more than twenty-five dollars and costs of suit.

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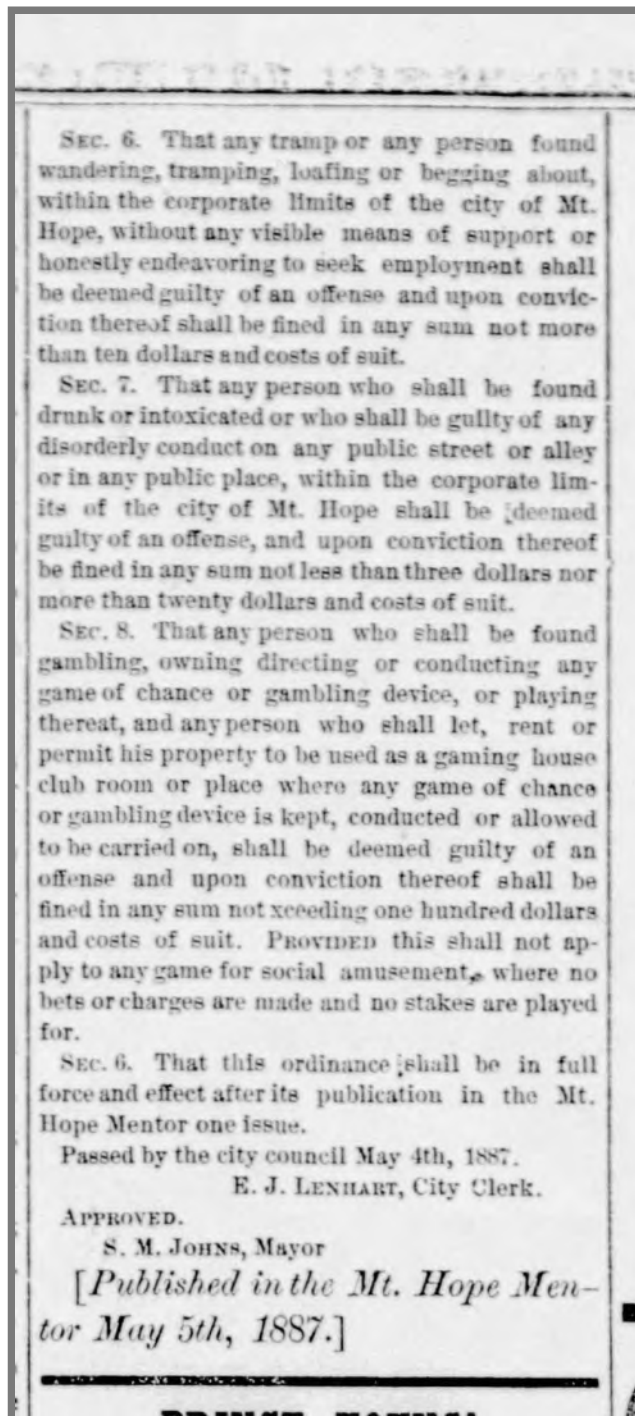


Exhibit 25

[Published January 5, 1894.]

ORDINANCE No. 79.

An ordinance relating to crimes and punish-
ment.

Be it ordained by the mayor and council of the
City of Scandia:

SECTION 1. Every person who shall, within
the corporate limits of the city of Scandia, dis-
turb the peace of the city, or of any religious
political or other lawful meeting, or who shall
disturb the peace of any neighborhood, family or
person, shall be deemed guilty of a misdemeanor,
and upon conviction thereof shall be fined in any
sum, not less than Three (\$3.00) Dollars, nor
more than Fifty (\$50.00) Dollars.

SECTION 2. Every person who shall, within
the corporate limits of the city of Scandia, use
any indecent, improper, obscene or profane lan-
guage; or who shall be guilty of any indecent,
lewd, obscene or bawdy conduct, shall, upon
conviction, be adjudged guilty of a violation of
this ordinance, and be punished by a fine of not
less than One (\$1.00) Dollar nor more than Ten
(\$10.00) Dollars.

SECTION 3. Every person who shall, within
the corporate limits of the city of Scandia, be in-
toxicated, shall, upon conviction, be fined, for the
first offense, in any sum not less than Three
(\$3.00) Dollars, nor more than Twenty-five
(\$25.00) Dollars. And for each subsequent con-
viction of a similar offense, within six months, in
any sum, not less than Five (\$5.00) Dollars, nor
more than Fifty (\$50.00) Dollars.

SECTION 4. Every person who shall, within
the corporate limits of the city of Scandia, set up,
keep, or operate, any table or gambling device,
with cards, dice, or any other kind of gambling
device, adapted, designed and devised for the
purpose of playing any game of chance, luck or
skill, for money, property, chips or any other
thing of value, or who shall induce, entice or
permit any person or persons to play or bet at
or upon, or about such gambling table or device,
shall upon conviction be fined in any sum not less
than Ten (\$10.00) Dollars, nor more than Fifty
(\$50.00) Dollars.

SECTION 5. Every person who shall be found
within the corporate limits of the city of Scandia,
without visible means of support, or some legiti-
mate business, shall be notified by the city mar-
shal to at once depart from said city and remain
outside thereof; and if such notice be not com-
plied with, or if, after leaving, such person shall
return, they shall be deemed guilty of vagrancy,
and the city marshal shall forthwith arrest such
person and upon conviction they shall be fined
in any sum not exceeding Fifty (\$50.00) Dollars.

SECTION 6. Every person who shall, within
the corporate limits of the city of Scandia, carry
or have upon their person any concealed pistol,
revolver, bowie-knife, dirk, sling-shot, billie,
knives or other deadly weapon, shall upon con-
viction be fined in any sum not less than Two
(\$2.00) Dollars, nor more than Fifty (\$50.00)
Dollars. Provided—That any person engaged
in a lawful occupation and of good moral charac-
ter, may, by the mayor, be granted a permit to
carry such concealed weapons.

SECTION 7. Every person who shall, within
the corporate limits of the city of Scandia, com-
mit any assault, or assault and battery, upon the
person of another, or who shall beat, strike or
threaten another with bodily injury, shall be
deemed guilty of an unlawful disturbance of the
peace of the city, and upon conviction shall be
punished by a fine of not less than Five (\$5.00)
Dollars, nor more than Fifty (\$50.00) Dollars.

SECTION 8. Every person who shall, within
the corporate limits of the city of Scandia, play
at, upon, or about, or wager any money, or thing
of value, upon any gambling tables and devices
set out and described in section Four (4) of this
ordinance, shall upon conviction be punished by
a fine of not less than Two (\$2.00) Dollars, nor
more than Twenty-five (\$25.00) Dollars.

SECTION 9. Every person who, (shall) within
the corporate limits of the city of Scandia, make
any lewd, obscene or indecent exposure of their
person, in any public place, or who shall expose
to view, in any public place, any lewd, obscene
or indecent print, picture, writing or book, shall
upon conviction be fined in any sum not less than
Two (\$2.00) Dollars, nor more than Fifty (\$50.00)
Dollars.

SECTION 10. Every person who shall, within
the corporate limits of the city of Scandia, keep,
harbor or maintain any female, knowing her to
be a public prostitute, shall upon conviction be
fined in any sum not exceeding Fifty (\$50.00)
Dollars.

SECTION 11. Every person who shall, within
the corporate limits of the city of Scandia, dis-
charge any fire arm, rocket, gun powder, fire-
works, or any combustible or explosive material,
without first obtaining a permit therefor from the
mayor, shall upon conviction be fined in any sum
not exceeding Twenty-five (\$25.00) Dollars.

SECTION 12. Every person who shall, within
the corporate limits of the city of Scandia, ob-
struct any street, alley, sidewalk or crossing, by
placing thereon any team, wagon, buggy, cart,
reel, vehicle, boxes, barrels, wood, stone, coal, dirt,
rubbish, or by making any excavation thereon, or
erecting any structure thereon; and every railway
engineer, conductor, yard master, or other person
having charge of any railway train, engine or car,
who shall permit any engine, train or car, or any
part thereof, to obstruct any street, alley, cross-
ing or sidewalk longer than ten minutes at any
one time, shall upon conviction be fined in any
sum not exceeding Twenty-five (\$25.00) Dollars.
Provided—That the mayor and council may issue a
permit allowing any person to obstruct a design-
ated portion of any street, alley or sidewalk

temporarily, to meet the emergencies of business.

SECTION 13. Every person who shall, within
the corporate limits of the city of Scandia, wil-
fully and maliciously annoy any other person, or
murder, break, injure, or destroy, any property of
another, or tear down, injure, deface, or destroy
any sign, fence, gate, building, door, window, or
any other property, or open and leave open any
door, window, gate or entrance to any house,
barn or enclosure, shall upon conviction be fined
in any sum not exceeding Fifty (\$50.00) Dollars.

SECTION 14. Every person who shall, within
the corporate limits of the city of Scandia, be a
keeper or inmate of a house of prostitution, broth-
el, bawdy house, or house of assignation, or dis-
orderly house of any kind, and every person who
shall frequent, or patronize, or be found within
such house, shall upon conviction be fined in any
sum not less than Five (\$5.00) Dollars, nor more
than Fifty (\$50.00) Dollars.

SECTION 15. Every person who shall, within
the corporate limits of the city of Scandia, drive,
or ride, any team, horse or mule along or upon
any street, alley, highway or bridge, at so fast a
pace as to endanger the safety of others, shall
upon conviction be fined in any sum not exceed-
ing Twenty-five (\$25.00) Dollars.

SECTION 16. Every person who shall, within
the corporate limits of the city of Scandia, willful-
ly throw any stone, brick, wood, or other sub-
stance likely to cause injury at another person,
or any house, window, door, vehicle or animal,
shall upon conviction be fined in any sum not ex-
ceeding Fifty (\$50.00) Dollars.

SECTION 17. Every person who shall, within
the corporate limits of the city of Scandia, leave
any team, horse, mule or other animal tied upon
any street or alley an unreasonable length of
time without proper care, or in cold, stormy and
inclement weather longer than necessary, shall
upon conviction be fined in any sum not exceed-
ing Twenty-five (\$25.00) Dollars.

SECTION 18. Every person who shall, within
the corporate limits of the city of Scandia, permit
any horse, mule, swine, cattle, chickens or other
fowl, or stock of any kind, belonging to them, to
run at large, or who shall larriat, herd or pasture
any stock on the streets or alleys, or who shall
leave any team, horse or mule upon the streets
without being properly tied, shall upon conviction
be fined in any sum not less than Two (\$2.00)
Dollars, nor more than Fifty (\$50.00) Dollars.
And it is hereby made the duty of the city mar-
shal to take up and impound, or properly care
for, all stock found running at large, larriated or
being herded or pastured upon the streets and
alleys. For each animal taken up and impound-
ed, or otherwise cared for, the city marshal shall
be entitled to receive a sum not exceeding (\$1.00)
Dollar, and for keeping such animal the further
sum of, not to exceed, Twenty-five cents per day.
Every animal taken up and impounded must be
claimed by the owner within ten days; and if not
so claimed, the city marshal shall advertise the
same for sale, and sell to the highest bidder for
cash. The proceeds shall be applied to the cost
of taking up and keeping such animal, and the
balance shall be paid into the city treasury for
the use of the owner. Provided—If no owner
be found within three months the proceeds shall
become the property of the city.

SECTION 19. Every person who shall, within
the corporate limits of the city of Scandia, de-
stroy or injure any fruit tree, shade tree, orna-
mental tree, hedge or shrubbery, belonging to
another, or who shall allow any team, horse,
mule or other animal belonging to them, so to do,
shall upon conviction be fined in any sum not ex-
ceeding Fifty (\$50.00) Dollars.

SECTION 20. Every person who shall, within
the corporate limits of the city of Scandia, permit
or allow any team, horse, mule, or other animal
belonging to them, to go upon or along any side-
walk, or who shall drive or lead any animal, or
animal, upon such walks, at any place not a reg-
ular crossing, shall upon conviction be fined in
any sum not exceeding Twenty-five (\$25.00)
Dollars.

SECTION 21. All prosecutions for any viola-
tion of this ordinance shall be before the police
judge, and in all cases of conviction the police
judge shall forthwith commit the defendant to
the city prison until the fine assessed against him
and all costs of prosecution are paid. At any
time after commitment the mayor may order the
city marshal to put the defendant at work upon
the streets until the fine is worked out at the rate
of One (\$1.00) Dollar per day.

SECTION 22. Ordinances number Six (6), num-
ber Twenty-four (24), number Thirty-five (35),
and all ordinances and parts of ordinances in
conflict herewith, are hereby repealed.

SECTION 23. This ordinance shall take effect
and be in force from and after its passage, ap-
proval and publication in the Scandia Journal.

Passed the council December 15, 1893.

Approved this 17th day of December 1893.

C. S. LYONS, Mayor.

STATE OF KANSAS, REPUBLIC COUNTY, ss:
I hereby certify the foregoing to be a true and
correct copy of the original ordinance, as passed
by the council and approved by the mayor, and
now on file in my office.

J. C. WARD,
City Clerk.

GEORGE F. PAGE,
Attorney at Law & Notary Public
Scandia, Kansas.

Important Notice.
All persons indebted to J. W. Pimney & Co., will please call and settle at Once.
We need our Money.

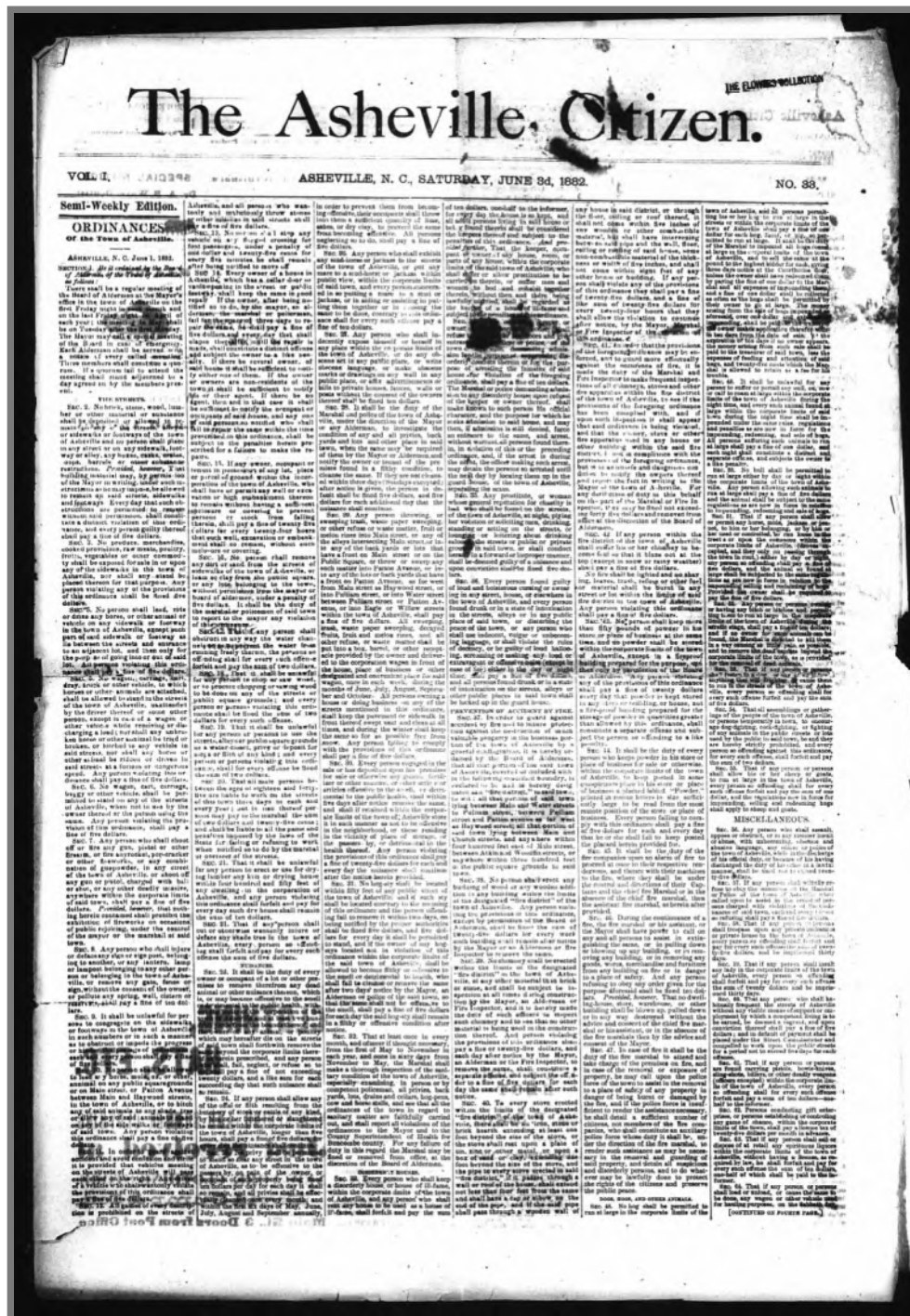
return, they shall be deemed guilty of vagrancy, and the city marshal shall forthwith arrest such person and upon conviction they shall be fined in any sum not exceeding Fifty (\$50.00) Dollars.

SECTION 6. Every person who shall, within the corporate limits of the city of Scandia, carry or have upon their person any concealed pistol, revolver, bowie-knife, dirk, sling-shot, billy, knuckles or other deadly weapon, shall upon conviction be fined in any sum not less than Two (\$2.00) Dollars, nor more than Fifty (\$50.00) Dollars. Provided:—That any person engaged in a lawful occupation and of good moral character, may, by the mayor, be granted a permit to carry such concealed weapons.

SECTION 7. Every person who shall, within the corporate limits of the city of Scandia, com-

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Exhibit 26



placed under the Street Commissioner and compelled to work upon the public streets for a period not to exceed five days for each offense.

Sec. 61. That if any person or persons are found carrying pistols, bowie-knives, sling-shots, billeys, or other deadly weapons (officers excepted) within the corporate limits of the town of Asheville, every person so offending shall for every such offense forfeit and pay a sum of ten dollars—one-half to the informer.

Sec. 62. Persons conducting gift enterprises, or persons establishing or controlling any game of chance within the corporate

Exhibit 26
Page 100

Exhibit 27



On motion, an ordinance to prevent the carrying weapons within the corporate limits of the town of Lake Charles, was read twice and adopted, as follows :

Section 1st. Be it ordained by the board of Aldermen of the town of Lake Charles, that whoever shall carry a weapon or weapons upon his person, within the corporate limits of said town, such as Bowie knives, pistols, revolvers, dirks, brass-knuckles, slung-shots, or any other dangerous weapon or weapons, shall be fined not less than five dollars, and in default of payment of fine with all costs, he shall be imprisoned, in the parish jail, not less than twenty-four hours, and for a second offence the fine shall be double.

Exhibit 28

THE WELLSTON NEWS.
BEEMAN BROS., PROPRIETORS.

Entered at the Post-office at Wellston,
Oklahoma, as Second-class Mail matter.
PUBLISHED EVERY FRIDAY EVE.
SUBSCRIPTION RATES.
One Year in Advance \$1.00
Six Months50
Three Months25

ADVERTISING RATES
10 cents per inch, single column per month
1 inch in 5 cents a line per week. All advertise-
ment charged for until ordered out. Estimates
on job work furnished on application.

FRANK E. BEEMAN, EDITOR.
BEEMAN BROS.'S PROPRIETORS.

Wellston Markets.
Corrected every Friday.

Butter.....	15
Eggs.....	12½
Bacon.....	7½
Dry salt meat.....	7
Potatoes.....	75
Onions.....	75
Flour.....	170-180
Corn.....	85
Caster Beans.....	2.25
Seed Cotton.....	7.00
Cotton lint.....	4.50

Resolution No. 1.
INTRODUCED BY ORDINANCE COMMITTEE.

Be it resolved by the President and Board of Trustees of the Town of Wellston, that the Clerk of said Town of Wellston be, and he is hereby authorized, directed and required to publish and print in pamphlet form, all of the resolutions, by-laws and ordinances of said Town of Wellston that have heretofore, or are at this time duly enacted and published by the Board of Trustees of said Town of Wellston; and to said pamphlet let said Clerk attach his certificate, showing that the said pamphlet contains all of the resolutions, by-laws, and ordinances which have been duly passed and published, and not repealed by the Board of Trustees of the said Town of Wellston on or before the 6th day of February, 1900; and said certificate shall further certify that the said resolutions, by-laws and ordinances so published are full, true and correct copies of the originals of which they purport to be, and when so published, the same shall be evidence in all courts.

Passed, made and established at a regular meeting of the Board of Trustees of the Town of Wellston, this 6th day of February, 1900.
Attest: Pres. Board of Trustees.
FRANK E. BEEMAN,
{SEAL} Town Clerk.

Ordinance No. 20.
An ordinance declaring certain acts to be an offence, and prescribing a penalty therefor.
Be it enacted by the President and Board of Trustees of the Town of Wellston.
Section No. 1. That the several offences specified in this ordinance are hereby prohibited in this town, and any person found guilty of any or either of them, shall be adjudged guilty of disturbing the peace and quiet of the town, and shall be subject to the penalties herein provided for them, respectively.
Section No. 2. That any person who shall in this town, disturb the peace of another by assaulting, striking or beating such others, or who shall use insulting language, calculated to provoke a disturbance of the peace, or who shall be guilty of violent, turbulent or tumultuous conduct offensive to others, or who shall use any profane, obscene or indecent language in any public place in this town, or any person who shall make or permit any offensive noise or disturbance about the premises under his or her control, shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars.
Section No. 3. That any person who shall in this town disturb or disrupt any congregation or assembly met for religious worship, by making noise, or by rude or indecent behavior, or profane or obscene discourses within their place of worship or so near any worshipping assembly or congregation as to disturb the solemnity of the meeting, shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars.
Section No. 4. That any person who shall in this town, purposely disturb any lawful assemblage of people by rude, noisy or indecent behavior, or otherwise, shall be deemed guilty of an offence and shall be fined in any sum not exceeding ten dollars.
Section No. 5. That any person who shall in this town, intentionally ride or drive any mule, horse or other beast faster than an ordinary traveling gait, or who shall so ride or drive as to be likely to cause other horses or teams to become frightened or run away, or any person who shall leave any of the above mentioned animals or any team, on any of the public streets or public places of said town, without being secured, fastened or hitched, shall be deemed guilty of an offence and shall be fined in any sum not exceeding ten dollars.
Section No. 6. That any person, who shall in this town, discharge any fire arms, in any public place, or in the direction of any public place, or in the direction of any house or building in this town, or who shall discharge any fire-crackers, rockets or other kinds of fire works in any public place in this town, shall be deemed guilty of an offence; provided, that the President of the Board of Trustees shall have power to grant a proper persons the right to discharge fire works on special occasions, which permit shall be in writing, signed by the President, granting the same, and shall specify the time, when and the place where such fire works are to be exhibited, and any person violating the provisions of this section shall be fined in any sum not exceeding ten dollars.
Section No. 7. That any person who shall in this town draw any pistol or other weapon in a hostile manner, or shall make any threats or demonstration of using any such weapons on or against any person, or any person who shall carry or have on his or her person in a concealed or unconcealed manner within this town, any pistol, dirk or bowie knife or other deadly weapon, or any person who shall within the town while in a state of intoxication, have in his or her possession any pistol, bowie knife or other deadly weapon, shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars, provided; that this section shall not be so construed as to prevent officers of the law from being armed while on duty and not in a state of intoxication.
Section No. 8. That any person who shall in this town throw any ball, stone, brick, pieces of wood or other hard substances in or across any street or alley, or at, or against any house, building or vehicle with intent to injure any person, or with intent to injure any such house, building or vehicle, and furthermore it shall be unlawful to pitch or catch any ball on any of the public streets of the town of Wellston, and any person who shall be deemed guilty of an offence and shall be fined in any sum not exceeding ten dollars.
Section No. 9. That any person who shall wantonly or intentionally deface, injure, destroy or besmear within this town any public property of the town, or any fence, awning, building, wall, railing or goods or chattels, the property of another, or any property or thing whatever in this town, shall be deemed guilty of an offence and shall be fined in any sum not exceeding ten dollars.
Section No. 10. That any person who shall knowingly bring into this town, any pauper, lunatic or person of unsound mind, and leave such person without being properly cared for, shall be deemed guilty of an offence and shall be fined in any sum not exceeding ten dollars.
Section No. 11. That every person who shall within this town appear in any public place, in a state of nudity, or in any dress not belonging to his or her sex, or in any indecent or lewd dress, or who shall make any indecent or any public exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall exhibit, sell or offer for sale any indecent or lewd book, picture or other thing, shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars.
Section No. 12. That any person who shall be found in any public place in this town so drunk as to not be fully competent to take care of himself, or in such a state of intoxication as to make it unsafe for himself or others, to allow him to be at large, shall be taken in charge by the Marshal and put in the town prison and kept until sober, when he shall be brought before the Justice of the Peace and be fined in any sum not exceeding ten dollars.
Section No. 13. Any person who shall in this town wilfully resist, oppose or obstruct the Marshal or any of his deputies, or any other officer of said town in the discharge of an official duty, or shall by threats or otherwise seek to intimidate any such officer from the discharge of an official duty shall be deemed guilty of an offence and shall be fined for each and every offence in any sum not exceeding ten dollars.
Section No. 14. Any person who shall in this town assault, beat or wound any such officer mentioned in the preceding section of this ordinance while such officer is in the discharge of any official duty of this town, shall be fined in any sum not exceeding ten dollars.
Section No. 15. If any person or persons shall set at liberty or rescue, or attempt to set at liberty or rescue from any town officer or his deputy having the legal custody or charge of the same, or from the custody of the police court, while in said court, or from the custody or confinement in which they may be held for the violation of any ordinance of this town, any prisoner or prisoners, either before or after conviction, he or they shall be deemed guilty of an offence and fined in any sum not less than one dollar nor more than ten dollars.
Section No. 16. Every person who shall entice or persuade, or by threats, or by any other means, directly or indirectly induce or cause any person summoned as a witness in any case in which said town or any of its officers are interested before the Justice of the Peace to absent himself from the trial of such case, or who shall induce or cause by persuasion, threats or any other means, any person to secrete, or absent himself for the purpose of avoiding the service of process of any kind issued by the said Justice of the peace in such case shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars.
Section No. 17. If any person confined in any place used as a prison by the town of Wellston, or held in the custody of any officer of said town for the violation of any ordinance of said town, or upon charge of violating any ordinance of the town, shall forcibly break such prison and escape therefrom, or who shall attempt by force and violence to any person to break from such prison, or custody, although no escape be effected, shall be deemed guilty of an offence and shall be fined in any sum not less than one dollar nor more than ten dollars.
Section No. 18. It shall be unlawful to keep for the purpose of service as a seed animal, any stallion, jack, bull or other seed animal within the corporate limits of the town of Wellston, or so near the corporate limits of said town, as to disturb the inhabitants of said town, any one or more of such inhabitants, or parade such animal through the public street or streets of said town for the purpose of exhibition, or to allow any such animal to remain standing upon any of the public streets of said town longer than five minutes at one time, provided; that such animal may be kept within the limits of said town, when not less than one hundred feet from any public town any public property of the town, or any fence, awning, building, built tight from the ground, up to a distance of not less than eight feet high, and provided further; that whenever any resident of the block in which said animal is kept, or a block adjacent makes complaint to the town Marshal that such animal is a nuisance, or is disturbing the people in that neighborhood, the Marshal shall notify the owner of said animal, whose duty it shall be to immediately remove said animal from that part of the town, to some more secluded part of said town, and where the people living near to where said animal is kept do not object to its being kept.
Section No. 19. Every person who, either as owner or keeper, of any such animal as mentioned in the foregoing section shall violate the provisions of this ordinance shall be fined in any sum not less than five dollars nor more than ten dollars for each offence.
Section No. 20. That all persons who shall conncil, assist or abet in the commission of any of the offences described in this ordinance shall be fined in any sum not less than one dollar nor more than ten dollars.

Partnership Statement.
Territory of Oklahoma,
Lincoln County, ss.
This is to certify that Henry J. Cullen, residing at Wellston, Oklahoma, and Walter P. King, residing at Wellston, Oklahoma, have formed a partnership and are now conducting business as such partnership at Wellston, said Territory. That the place of business of such partnership is at Wellston, Lincoln County, Oklahoma Territory.
That the style and firm name of such partnership is "Cullen & King."

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Exhibit 28
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sum not exceeding ten dollars.

Section No. 7. That any person who shall in this town draw any pistol or other weapon in a hostile manner, or shall make any threats or demonstrations of using any such weapons on or against any person, or any person who shall carry or have on his or her person in a concealed or unconcealed manner within this town, any pistol, dirk or bowie knife or other deadly weapon, or any person who shall within the town while in a state of intoxication, have in his or her possession any pistol, bowie knife or other deadly weapon, shall be deemed guilty of an offence and fined in any sum not less than one dollar nor more than ten dollars, provided; that this section shall not be so construed as to prevent officers of the law from being armed while on duty and not in a state of intoxication.

Section No. 8. That any person who shall in this town throw any ball stone.

Exhibit 29

more than twenty-five dollars with
all cost.
Sec. 18. Be it further ordained.
That it shall be unlawful for any
person to carry about their person
any pistol, bouie knife, sling shot,
brass knucks, dirk, sword, loaded
cane, stiletto, razor or other dead-
ly wapon in this Corporation, and
it is hereby made the duty of the
City Marshal or other officer who
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sees or knows of any person carry-
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diately arrest every such person
that they may be dealt with accord-
ing to the provisions of this act,
and any person found guilty of
carrying any of the aboved named
weapons or any other deadly
weapon shall be fined not less than
ten nor more than fifty dollars
with all cost. Provided that this
Section shall not apply to Marshals
Sheriffs or other officer while on

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Exhibit 30

An Ordinance prohibiting the carrying of concealed weapon and fixing the punishment therefor.

Be it ordained by the mayor and councilmen of the city of Perry.

SECTION 1. It shall be unlawful for any person in the city of Perry to carry concealed on or about his person, saddle or saddlebags, any pistol, revolver, bowie knife, dirk, dagger, razor, slingshot, sword, cane, spear, metal knuckles or any other kind of knife or instrument manufactured or sold for the purpose of defense except in this ordinance provided.

SEC. 2. It shall be unlawful for any person in the corporate limits of the city of Perry to carry upon or about his person any pistol, revolver, bowie knife, dirk knife, loaded cane, billy, metal knuckles or any other offensive or defensive weapon, except as in this article provided.

SEC. 3. It shall be unlawful for any person within the corporate limits of the city of Perry, to sell or give to any minor, any of the arms or weapons designated in sections one and two of this article.

SEC. 4. Public officers while in the discharge of their official duties or while going from their homes to their place of duty or returning therefrom shall be permitted to carry arms, but at no other time and under no other circumstances, provided, however, that if any public officer be found carrying such arms while under the influence of intoxicating drinks, he shall be deemed guilty of a violation of this ordinance as though he were a private person.

SEC. 5. Persons shall be permitted to carry shot guns or rifles for the purpose of hunting, having them repaired, or for killing animals, or for the purpose of using them in public muster or military drills or while traveling or removing from one place to another, and not otherwise.

SEC. 6. It shall be unlawful for any person to point any pistol or any other deadly weapon, whether loaded or not at any other person or persons either in anger or otherwise.

SEC. 7. Any person violating the provisions of any one of the foregoing sections, shall, upon conviction be fined in not less than Twenty Five Dollars and not more than Fifty Dollars, or imprisonment not more than 90 days or both.

SEC. 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SEC. 9 This ordinance shall take effect and be in force from and after its passage approved and publication.

Approved this 23 day of Jan. 1895.

(ATTEST) W. A. Stone, Mayor.
[SEAL]

G. W. PURSELL, City Clerk.

BUSINESS LOCALS.

Exhibit 31

Exhibit 32

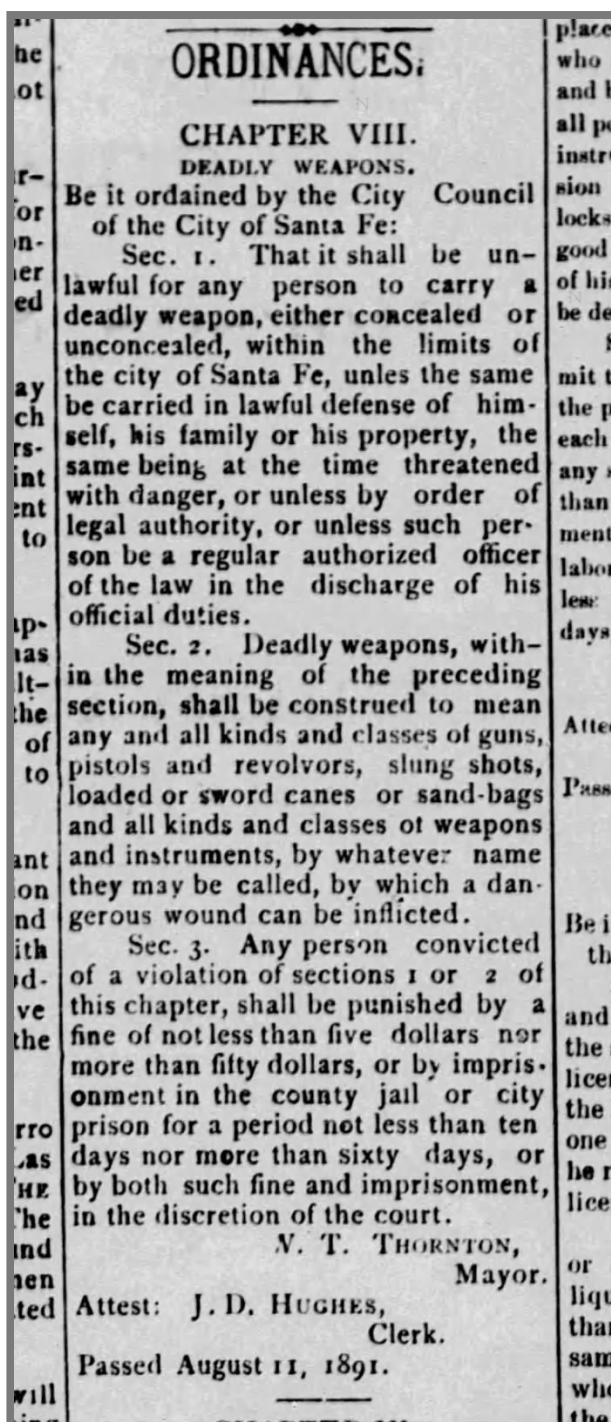


Exhibit 33

ORDINANCE--Continued.

Street Commissioner.
Sec. 12. The road supervisor, whose appointment is provided for in Section 26, of chapter 88, of the act of the legislature assembly of 1891, shall be town commissioner of the town of Cerrillos, his duties shall be as prescribed by law for road supervisors and street commissioners and as shall be directed from time to time by the board of trustees.

Sec. 13. The several town officers and appointees shall do and perform all such other duties and render such other services, not specifically defined by ordinance, as may be required of them by the board of trustees.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos.
Attest: C. A. Whited, Clerk.

CHAPTER III.

POLICE JUDGE AND MARSHAL.

Be it ordained by the Board of Trustees of the Town of Cerrillos.

Sec. 1. The police judge shall have sole and exclusive jurisdiction of all violations of any Town ordinance or regulation. He shall keep a docket in which he shall enter a true record of all actions brought before him.

Sec. 2. The police judge shall before proceeding to try any person for the violation of any ordinance or regulation of the Town, cause complaint to be made and a warrant to be issued to arrest such person, and a return to be made upon said warrant.

Sec. 3. All cases tried before the police judge shall be docketed in the name of the Town of Cerrillos against the defendant and the judge shall enter upon his docket in a plain and intelligible manner a minute of each step taken in each case and an itemized statement of all costs and fines imposed and collected by him.

Sec. 4. Judgment of guilty or not of the offense charged shall be entered in each and every case, and by said judgment defendant shall be discharged, fined, imprisoned, or fined and imprisoned as the case may be; and when defendant is found guilty the costs of such case shall be assessed against him, and no costs shall be taxed otherwise, and all judgments imposing a fine, except where a fine and imprisonment are both imposed, shall be in the alternative of imprisonment for a specified number of days or until such fine and costs are paid.

Sec. 5. Whenever judgment of guilty is entered in any case, the police judge shall issue a commitment against the person of the defendant commanding the town marshal in default of the immediate payment of such fine and costs as may have been assessed, to commit the defendant to the town jail subject to labor, and in case where the judgment is that the defendant be imprisoned, that he commit the defendant to the town jail, subject to labor, in accordance with the terms of said judgment and the ordinances of said town.

Sec. 6. Whenever in accordance with the laws of the territory of New Mexico a defendant in any case may be entitled to an appeal, the same shall be allowed in accordance therewith by filing a bond with two sufficient sureties, in double the amount of the highest pecuniary penalty that could or might be assessed in the case. Provided, that said appeal shall not operate as a supersedeas in such case until such bond shall have been given and approved, and no costs shall be demanded as a condition of such appeal, nor the approval of the said appeal bond.

Sec. 7. In each case tried before the police judge of the said town of Cerrillos said police judge may tax as costs for himself and marshal the same fees as shall be authorized by law to be taxed for similar services in favor of justices of the peace and constables.

Sec. 8. All costs and fines shall be collected by the marshal of the

town who shall pay the fines collected by him to the city treasurer at least once a week, and shall pay any costs coming into his hands belonging to the police judge to the police judge and return the execution or commitment for the collection of the said fine and cost satisfied, and in all cases it shall be the duty of said police judge to issue such execution or commitment and endorse on such execution or commitment an itemized statement of costs, and it shall be the duty of marshal to make a weekly report to said board of trustees, of all arrests made and cases tried for the violation of city ordinances, of the disposition of the same and the fines collected and uncollected.

Sec. 9. The marshal shall receive such salary as the board of trustees shall by ordinance fix, the amount of which salary shall be paid to him in warrants drawn upon the police fund, hereinafter provided for, in such manner as to be equivalent to cash for the face value of said warrants.

Sec. 10. All moneys arising from said fines and from licenses paid into the treasury of said town shall constitute and be a police fund in said treasury, out of which all salaries shall be first paid, and in the event of a surplus of said police fund above what may be necessary to pay said salaries, said board of trustees may by resolution direct said surplus to be passed to general fund or other wise appropriated.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos.
Attest: C. A. Whited, Clerk.

CHAPTER IV.

Be it ordained by the Board of Trustees of the Town of Cerrillos.

SECTION 1. That no dog, bitch, or whelp, shall be allowed to run at large within the limits of this town, until the owner or keeper of such dog, bitch, or whelp, shall have paid the town clerk the sum of one dollar for each dog, or whelp, and the sum of three dollars for each bitch owned or kept by such person, and shall also place around the neck of such dog, bitch, or whelp, a collar made of durable material.

SEC. 2. It is hereby made the duty of all persons owning or keeping any dog, bitch, or whelp, to apply to the town clerk, and make payment to him each year, as provided in section one of this ordinance. And it shall be the duty of such town clerk to issue a tag to such owner or keeper, with the license number thereon, which tag shall be by the owner or keeper be attached to and worn on the collar here provided for; and the clerk shall keep a full record of such license.

SEC. 3. The town marshal, is hereby authorized and required, to kill and destroy any dog, bitch, or whelp, found running at large within the limits of this town, unless such dog, bitch, or whelp, is duly licensed as provided for in this ordinance.

SEC. 4. This ordinance shall be in force and effect on and after October first, A. D. 1891.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos, New Mexico.
Attest: C. A. Whited, Clerk.

CHAPTER V.—BREACHES OF THE PEACE.

Be it ordained by the Board of Trustees of the Town of Cerrillos.

Sec. 1. That any person who may hereafter be found lurking, lying in wait or concealed in any house or other building, or in any yard or premises within the limits of the Town of Cerrillos, with intent to do any mischief, or to plifer or to commit any crime or misdemeanor whatever, shall for every such offense, on conviction, be punished by a fine of not less than \$5.00 nor more than fifty dollars, or by imprisonment in the town prison not exceeding ninety days, or by both

such fine and imprisonment, in the discretion of the court.

Sec. 2. Any person who shall aid, countenance or assist in making any riot, disturbance, or who shall fight in any public place in the said Town, or who shall be guilty of any indecent, or immoral or insulting conduct, language or behavior, in the streets, or elsewhere in said Town, or who may remain prostrate in the streets or other public places in said Town, and all persons who shall collect in bodies or crowds in said Town for unlawful purposes, or to the annoyance or disturbance of the citizens, shall for every such offense be punished by a fine of not less than \$5.00 nor more than fifty dollars, or by imprisonment in the Town prison not exceeding ninety days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 3. Any person who shall be found drunk within the limits of said Town, shall for every such offense be punished by a fine of not less than \$5.00 nor more than twenty-five dollars, or by imprisonment, in the Town prison, not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 4. Any person who shall make any indecent exposure of his person or be guilty of any lewd or indecent behavior in any public place of said Town, shall for every such offense be punished by a fine of not less than \$5.00 nor more than twenty-five dollars, or by imprisonment in the Town prison for a period, not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 5. Any person who shall disturb or disquiet any congregation engaged in religious worship, or any lawful assemblage of the people within the Town, by making a noise, or by rude or indecent behavior within such meeting, or so near the same as to disturb the order or solemnity thereof, shall for every such offense be punished by a fine not exceeding twenty-five dollars, or by imprisonment in the Town prison, not exceeding thirty days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 6. Any person who shall aid or assist any person confined in the Town prison to escape from such confinement, or who shall aid or assist any person in the custody of any officer of the Town to escape from such officer, and any person who shall resist an officer of said Town in the discharge of his duties, shall be punished by a fine of not less than \$10.00 nor more than one hundred dollars, or by imprisonment not exceeding ninety days, in the discretion of the court.

Sec. 7. Every person committed to the Town prison for the violation of any ordinance of the Town of Cerrillos shall be required to work for the Town under the supervision of the marshal, at such labor as his or her strength will permit, within or without such prison not more than ten hours each working day; and for such work the person so employed shall be allowed, exclusive of his or her board, One dollar per day for each day's work, to be applied toward the payment of the fine and costs adjudged by the committing magistrate.

Sec. 8. All persons committed to jail shall be immediately searched and all articles of value, or weapons, shall be turned over to the marshal, together with the name of the person to whom they belong, so that proper disposition can be made of the same.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos, New Mexico.
Attest: C. A. Whited, Clerk.

CHAPTER VI.—NUISANCES.

Be it ordained by the Board of Trustees of the Town of Cerrillos.

Sec. 1. That if any person shall permit or suffer any ground, building or other premises within the Town of Cerrillos, owned or occupied by him, or of which he shall be the agent, having charge of the

same, to become or be offensive, nauseous, hurtful or dangerous to the neighborhood or travelers, by reason of stagnant water, dead animal or from any other cause or causes, he shall be punished as hereinafter provided.

Sec. 2. If any person shall suffer any animal belonging to him or in his charge, which may die of disease or otherwise, to be in or upon any street, alley or other grounds or place within the Town; public or private, for the space of twenty-four hours after the same shall have died, he shall be punished as hereinafter provided.

Sec. 3. If any person shall allow to flow from any house, shop, factory, stable, slaughter house or place any foul or nauseous liquor or substance of any kind whatsoever into or upon any adjacent ground or lot or into any street, alley or ditch in the Town so as to be offensive, nauseous, hurtful or dangerous; and any person who shall deposit in any such place any filth, litter or refuse or any carcass or thing so as to be offensive, nauseous, hurtful or dangerous to any portion of the inhabitants of said Town, he shall be punished as hereinafter provided.

Sec. 4. Any person offending against any of the foregoing provisions of this chapter, shall be punished for each offense by a fine of not less than five dollars, nor more than fifty dollars, or by imprisonment in the Town prison, for a term of not less than five days nor more than sixty days or by both such fine and imprisonment in the discretion of the court.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos, New Mexico.
Attest: C. A. Whited, Clerk.

CHAPTER VII.—DEADLY WEAPONS.

Be it ordained by the Board of Trustees of the Town of Cerrillos.

Sec. 1. That it shall be unlawful for any person to carry a deadly weapon, either concealed or unconcealed within the limits of the Town of Cerrillos, unless the same

be carried in lawful defense of himself, his family or his property, the same being at the time threatened with danger, or unless by order of legal authority, or unless such person be a regular authorized officer of the law in the discharge of his official duties.

Sec. 2. Deadly weapons, within the meaning of the preceding section, shall be construed to mean any and all kinds and classes of pistols and revolvers, slung shots, loaded or sword canes or sand-lugs and all kinds and classes of weapons, and instruments, by whatever name they may be called, by which a dangerous wound can be inflicted.

Sec. 3. Any person convicted of a violation of section one or two of this chapter, shall be punished by a fine of not less than five dollars nor more than fifty dollars, or by imprisonment in the Town prison for a period of not less than ten days nor more than sixty days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 4. Any person who shall be found guilty of discharging any fire-arm within 300 yards of any habitation in the said Town of Cerrillos shall be fined on, conviction thereof, not less than five dollars nor more than Twenty-five dollars, unless the same shall be in defense of himself, his family, or property.

Approved: W. E. Dame,
Seal. Chairman Board of Trustees, Town of Cerrillos, New Mexico.
Attest: C. A. Whited, Clerk.

A. L. Kendall,
Notary Public.

— AND —

Justice of the Peace.

All notary work given prompt attention and careful execution.

THE CERRILLOS SUPPLY CO

—Dealers in—

**Hardware,
Stoves,
Tinware
Furniture,
Queensware,
Glassware.**



Lamps,
Woodenware,
Paints,
Oils,
Glass,
Miners' Supplies

25¢ Giant and Black, Powder always in stock.

25¢ Studebaker Wagons, both light and heavy, Buggies Road Carts, etc.

Iron and Steel.

25¢ Orders for Machinery and Machine repairs, will receive prompt attention.
25¢ Before making your purchase give us a call.

Miller & Legace,

—Dealers in—

Pure Drugs and Medicines,

Stationery, Toilet Goods, Perfumeries,
Paints, Oils, Varnishes Wall
Paper, Glass, Cigars and
Tobaccoes.

PRESCRIPTIONS CAREFULLY COMPOUNDED
L. G. Jones' New Building. Cerrillos, N. M.

Exhibit 34

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be imprisoned not exceeding thirty days.

SEC. 10. It shall be unlawful for any person to wear under his clothes, or concealed about his person, any pistol or revolver, colt, billy, slungshot, brass knuckles or knuckles of lead, dirk, dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon within the corporate limits of the city of Omaha. And any person guilty of a violation of this section shall, on conviction, be fined not exceeding one hundred dollars for each and every offense; nothing in this section, however, shall be so construed as to prevent the United States marshals and their deputies, sheriffs and their deputies, regular or special police officers of the city, from carrying or wearing such weapons as may be deemed necessary in the proper discharge of their duties. Provided, however, if it shall be proved from the testimony on the trial of any such case, that the accused was, at the time of carrying any weapon as aforesaid, engaged in the pursuit of any lawful business, calling or employment and the circumstances in which he was placed at the time aforesaid were such as to justify a prudent man in carrying the weapon or weapons aforesaid, for the defense of his person, property or family, the accused shall be acquitted.

Whenever any police officer shall make an arrest of a person having concealed on or about his person any weapon or weapons, as specified in this section, it shall be such officer's duty to take from such person arrested the weapon or weapons found upon him at the time of his arrest, and to retain the same, to abide such order concerning the same as may be made by the police judge.

Exhibit 35

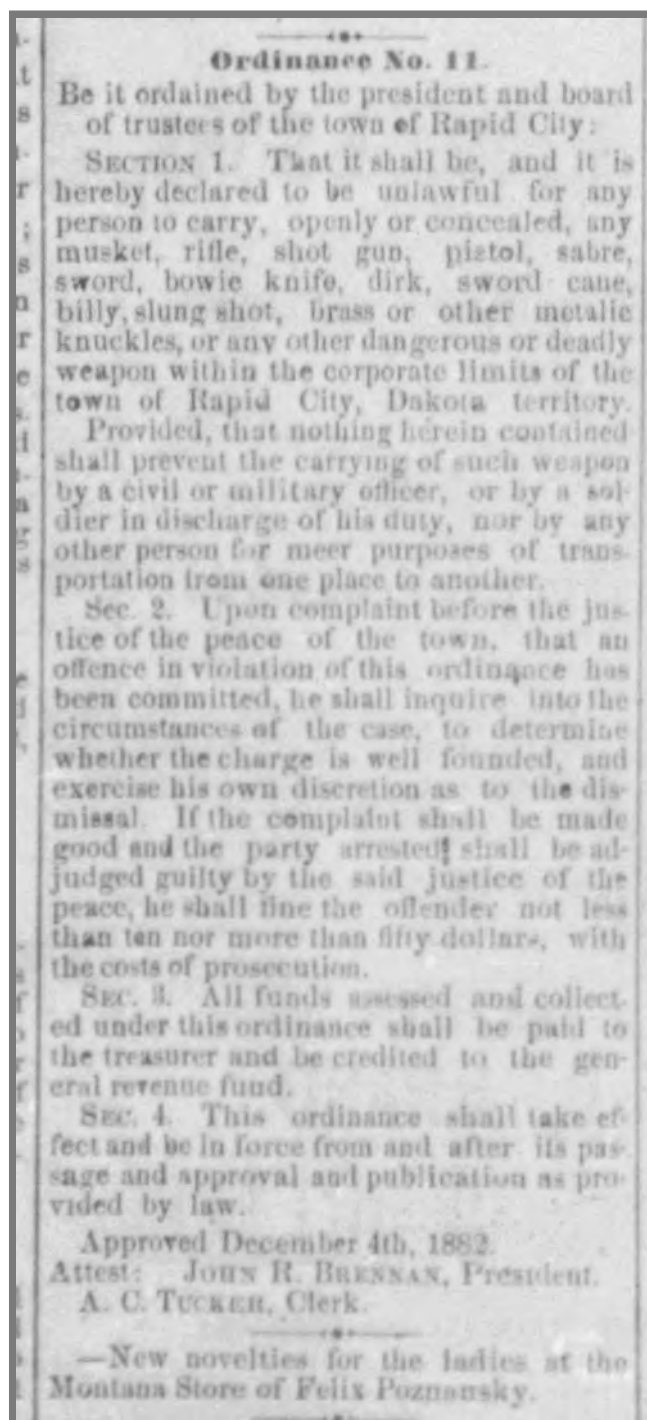


Exhibit 36



... exceeding six months or be punished by both
such fine and imprisonment.
Sec. 15. If any person shall within the cor-
porate limits of the city of Tucson carry con-
cealed upon his person any gun, pistol, bowie-
knife, dagger or other deadly weapon, he shall
be deemed guilty of having committed a misde-
meanor and upon conviction thereof shall be
fined in any sum not exceeding three hundred
dollars or be imprisoned in the County or City
jail for any period of time not exceeding six
months or be punished by both such fine and
imprisonment; provided that this section shall
not be construed to apply to sheriffs, con-
stables or police officers, when exercising their
legitimate duties.
Sec. 16. If any saloon, gambling house,
house of prostitution, dance house keeper or pro-
prietor of any place wherein intoxicating or

Exhibit 37

A N ORDINANCE (No. 18)

Regulating the keeping and bearing of deadly weapons.

Be it ordained by the City Council of the city of Galveston:

SECTION 1. That any person carrying on or about his person, saddle or vehicle, within the corporate limits of the city of Galveston, any pistol, dirk, dagger, slung-shot, sword-cane, spear, brass-knuckles, bowie-knife, or any other kind of knife manufactured or sold for the purposes of offense or defense, or carried for purposes of offense or defense, unless he has reasonable grounds for fearing an unlawful attack on his person, and that such attack shall be immediate and pressing, or unless having or carrying the same on or about his person for the lawful defense of the state of Texas or the city of Galveston, as a militiaman in actual service, or as a peace officer or policeman, shall be fined in a sum of not less than twenty-five dollars nor more than one hundred dollars, and in default of payment thereof shall be confined in the jail for a period not less than ten days nor more than three months, and whilst so confined shall be required to work on the streets of said city, or any public work under the control of the City Council for the period of such confinement; *provided*, that this section shall not be so construed as to prohibit any person from keeping or bearing arms on his or her premises, or at his or her place of business, nor to prohibit sheriffs, their deputies, or other revenue officers, or other civil officers, from keeping or bearing arms whilst engaged in the discharge of their official duties, nor to prohibit persons travelling through the city of Galveston from keeping or carrying arms with their baggage.

SEC. 2. That any person charged under the first section of this act, who may offer to prove, by way of defense, that he was in danger of an attack on his person, or unlawful interference with his property, shall be required to show that such danger was immediate and pressing, and was of such a nature as to alarm a person of ordinary courage, and that such weapon so carried was borne openly and not concealed beneath the clothing; and if it shall appear that this danger had its origin in a difficulty first commenced by the accused, it shall not be considered as a legal defense.

SEC. 3. That this ordinance shall take effect and be of force on and after its due publication as prescribed by the city charter.

Approved August 19th, 1873.

C. W. HURLEY, Mayor.

Attest:

C. C. ALLEN, Clerk.

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A N ORDINANCE (No. 19)

Exhibit 38

An Ordinance to Prevent the Carrying of Arms.

SECTION 1. *Be it Ordained by the Board of Mayor and Aldermen of the City of Chattanooga,* That if any person shall, within the corporate limits of the City of Chattanooga, either publicly or privately carry any dirk, sword-cane, Spanish stiletto, belt or pocket pistol, Bowie knife or any large knife of like form or size to a Bowie knife, brass knuckles or slung shot, he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars and confined in the city jail not less than thirty days.

SEC. 2. *Be it further Ordained,* That it be and is hereby made the duty of the Marshal and police force to arrest any and all parties found carrying any weapon in violation of the above section, and any policeman who shall fail or refuse to strictly enforce this ordinance by refusing or neglecting to arrest any party known by him to be in violation of this ordinance, shall be at once dismissed from the police force.

SEC. 3. *Be it further Ordained,* That all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance be and the same are hereby repealed, and that this ordinance take effect from and after its passage.

Approved April 9th, 1873.

E. M. WIGHT, Mayor.

W. T. CATE, Recorder.

Exhibit 39

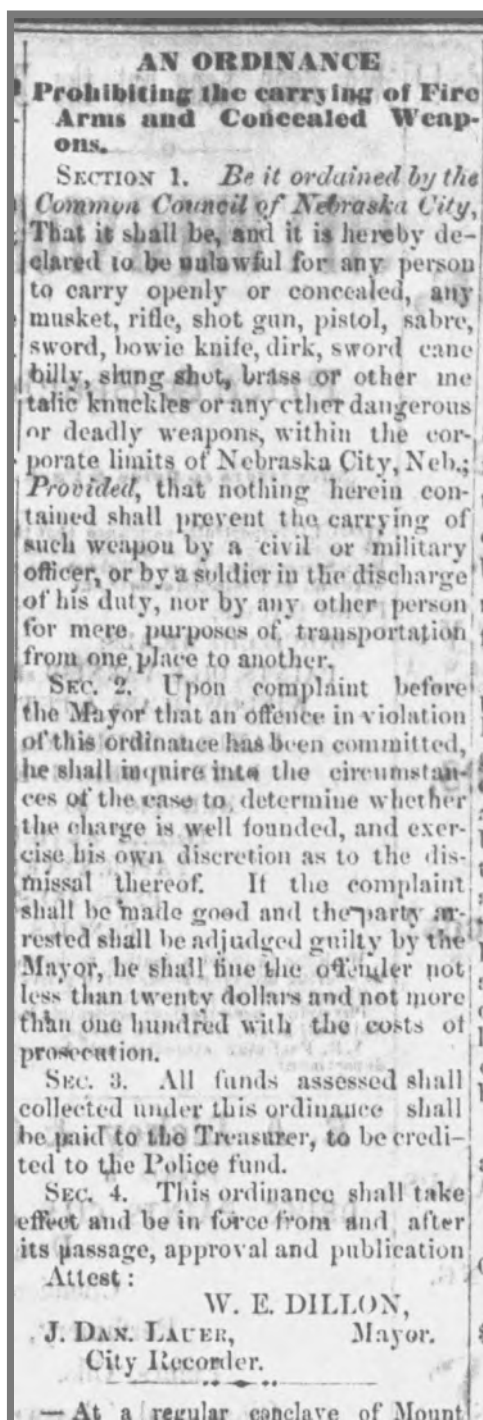


Exhibit 40



THE SUPREME COURT

On Carrying Concealed Weapons.

State of Missouri, defendant in error, vs. Frank Roehde, plaintiff in error.

The defendant was indicted at the February term, 1876, of the Washington County Circuit Court, for carrying concealed weapons.

Defendant was tried, convicted and fined ten dollars, and judgment was entered accordingly.

We are asked to reverse the judgment, because of the insufficiency of the indictment and the unconstitutionality of the act or the legislature, on which the indictment was founded. The act in question, Secs. 1821, 1822, is as follows:

Whoever shall in this State go into any church or place where people are here assembled for religious worship or into any schoolroom or into any place where people may be assembled for educational, literary or social purposes, or to any election precinct on any election day, or into any court room, during the sitting of court, or into any other public assembly of persons met for other than militia drill or meetings called under the militia laws of this State, having concealed about his person any kind of fire arms, bowie knife, dirk, dagger, stilet or other deadly weapons, shall be deemed guilty of a misdemeanor, &c. The indictment purports that defendant did unlawfully enter and go into the house or residence of one Hattie Boyer, where a number of people were assembled for social purposes, and that then and there unlawfully concealed on his person a pistol loaded with gunpowder and bowie knife, which said pistol was then and there a kind of fire arm, &c. The indictment purports that the statute creating the offense exempted to the use of the word "manner" before people, when we think it must in any respect violate it. It may be treated as mere surplusage.

It is, however, insisted, that the act under which the indictment is returned, is a delegation of the right of the citizen to bear arms, and is in conflict with and violative of the provision in the constitution of 1865, which declares "that the people's right to bear arms in defense of themselves and of the lawful authority of the State cannot be questioned."

The question here presented is one not free from difficulty and has given rise to much diversity of opinion. The right to keep and bear arms, has been one of the people's rights since the beginning of time, and in this country always been regarded as one not to be lightly interfered with or intruded upon, and there can be no question but that any legislative enactment which deprived them of this right, would be obnoxious to the provision of the constitution which guarantees it, and would be absolutely null and void.

In 2, Story vs. the Com., 1867, the act of the legislature in relation to the constitution of the United States, which declares that "the right of the people to keep and bear arms" shall not be infringed upon, declares that "the right of the citizen to keep and bear arms, has justly been considered as the pollution of the liberties of the republic, since it offers a strong moral check against usurpation and arbitrary power of rulers, and will in general, if these are successful in the first instance, enable the people to resist and triumph in the end."

If the statute in question had the effect of denying this right, and absolutely prohibiting the citizen from keeping and bearing arms, we would not hesitate to pronounce it void, as being violative of a constitutional right secured to every man by the constitution of the State. If, however, as in such cases, it simply denies to the citizen the right to enter certain places thereby designated, having concealed about his person any kind of fire arms, bowie knife, &c. The places designated, into which it is made unlawful for any person to enter, are places where people are assembled for religious worship, or other public assembly of persons, where people are assembled for political, literary or social purposes. Under this statute the right to enter, even such places, by any person bearing arms openly and exposed to public view is not prohibited; and if any citizen has so high a regard for the constitutional right guaranteed to him, to keep and bear arms, that he cannot forgo the privilege of exercising it when entering a church where his neighbors have congregated for religious worship, or other public place where they have met for educational, literary or social purposes, he can exercise it, but he doing so he must expose to view his arms and deadly weapons, so that all may see and know that he is in the full enjoyment and exercise of his constitutional right. We do not say nor do we wish to be understood as saying that the legislature might not prohibit a person from bearing arms, even openly, in such places as are mentioned in the statute, without such prohibition being constitutional. No such enactment as this is before us and, we apprehend, never will be, for the moral sense of every well-regulated community would be so shocked by any one who would so far disregard it, as to invade such places with fire arms and deadly weapons exposed to public view on his person that it would very rarely, if ever, occur.

The statute in question is nothing more than a police regulation, made in the interest of peace and good order, perfectly within the power of the legislature to make. Similar regulations have been upheld in all the States, so far as we have been able to ascertain, among in Kentucky, State vs. the State, 1 Kelly, 65; Owen vs. State, 51 Ala., 387; State vs. Burgess, 4 Ark., 18; State vs. Andrews, 1 Hickel, 165; State vs. Mitchell, 5 Hickel, 229; Cochrane vs. State, 24 Tex., 351.

The right to keep and bear arms necessarily implies the right to use them, and yet not passed by the legislature regulating their use, or rather making it an offense to use them in certain ways and places, have never been questioned. An instance is to be found in each State and in every country that every person who shall shoot at a mark along or across a public highway shall be deemed guilty of a misdemeanor. This is certainly a police regulation, within the power of the legislature to prescribe, without infringing on the right of a person to keep, bear and use arms.

The constitution protects a person in his right of property, and firearms are no more where the legislature has assumed to regulate and control them. A person has a right to own a misdemeanor or dangerous animal; yet under our statute, if the owner thereof, knowing its propensities, unlawfully suffer it to go at large and stalk, kill any human being, such owner is liable to be punished as for manslaughter in the third degree. It is provided in the constitution of the United States that the freedom of speech and of the press shall not be abridged by any law of Congress, and yet this provision has never been so construed as to deny to Congress the power to make it an offense for libelous matter to be published, rendering the offender liable to prosecution and punishment for the first offense. Such a construction, in the language of Story, "would be too wild to be indulged in by any man."

Story on the Con., § 530.

Judgment affirmed, in which the other judges concurred, except Judge Shawcross, who dissented.

E. H. NORTON, J.
Attorney General, for defendant in error.
Rohde & Reitz, for plaintiff in error.

A Courageous Syracuse Girl.

Residing on Van Buren street, in this city, is a widow named Mrs. Maria M. Roehde, who alone occupies a comfortable home with her daughter. On Wednesday afternoon last Mrs. Roehde was called to a side door by a woman, who first begged, and after having the door opened in response, made several inquiries of a natural character of the housewife. Her presence there subsequently proved to be part of a plan to rob the house, for while Mrs. Roehde was engaged in conversation, a constabulary entered the front door and was ramming the parlor, when her eldest daughter rushed down stairs and discovered the intruder and rendered for her pale a cruel blow in the eye, with a filled jar to the door and allowed the robbers to escape unrecognized.

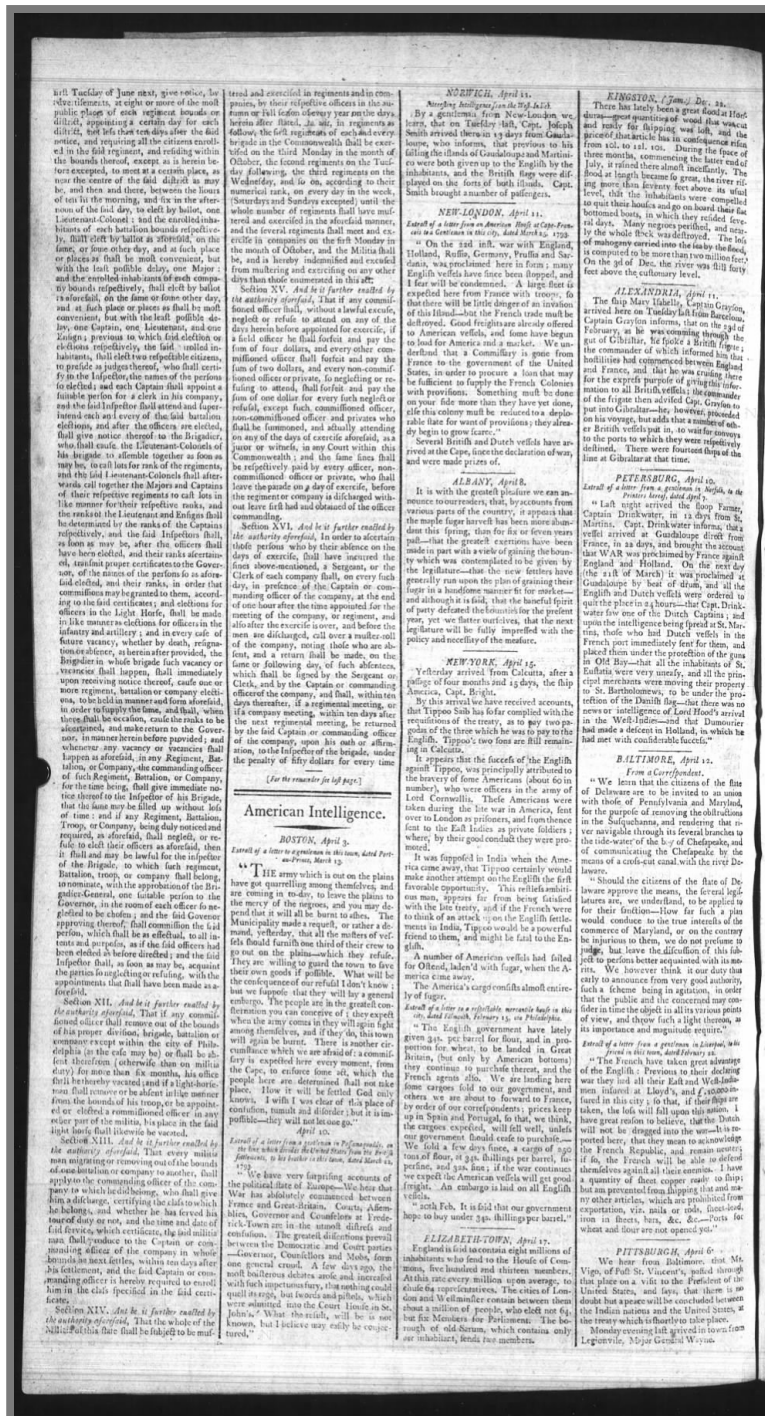
This episode, happening in the daylight, proved to be but too painful to a still more startling episode in which Miss Roehde, and it is thought, the other sister of the afternoon before, played a more important part, the same being enacted some time between 1 and 2 o'clock yesterday morning. Miss Roehde, who sleeps with a mother justly that herself, was awakened in the middle of the night. Listening, she soon became aware that somebody was crawling on all fours toward the bed. She no longer became convinced that such was the case, then she made a movement to get out of bed. As her feet reached the floor she was caught by the ankles and thrown down by the intruder, a man who had decided come to search for plunder. The girl's outcry, however, attracted the other sister, who jumped up and escaped from the room, screaming at the top of her voice for help. She ran outdoors and cried out, but could arouse no one until too late to render aid. Meanwhile, Miss Roehde, who struggling with her assailant in the room, her efforts were in the direction of a pistol which she had under her pillow, but which fell on the floor out of her grasp before she had time to make use of it. Then a struggle ensued for its possession, the courageous girl finally succeeding in clenching it. By a sudden plunge she would have thrust herself and made a precipitate exit, a bullet whizzing in his wake, and penetrating the door, which he pulled after him. He succeeded in making his escape before the neighbors had been aroused by the cries of the younger sister.—Syracuse Courier.

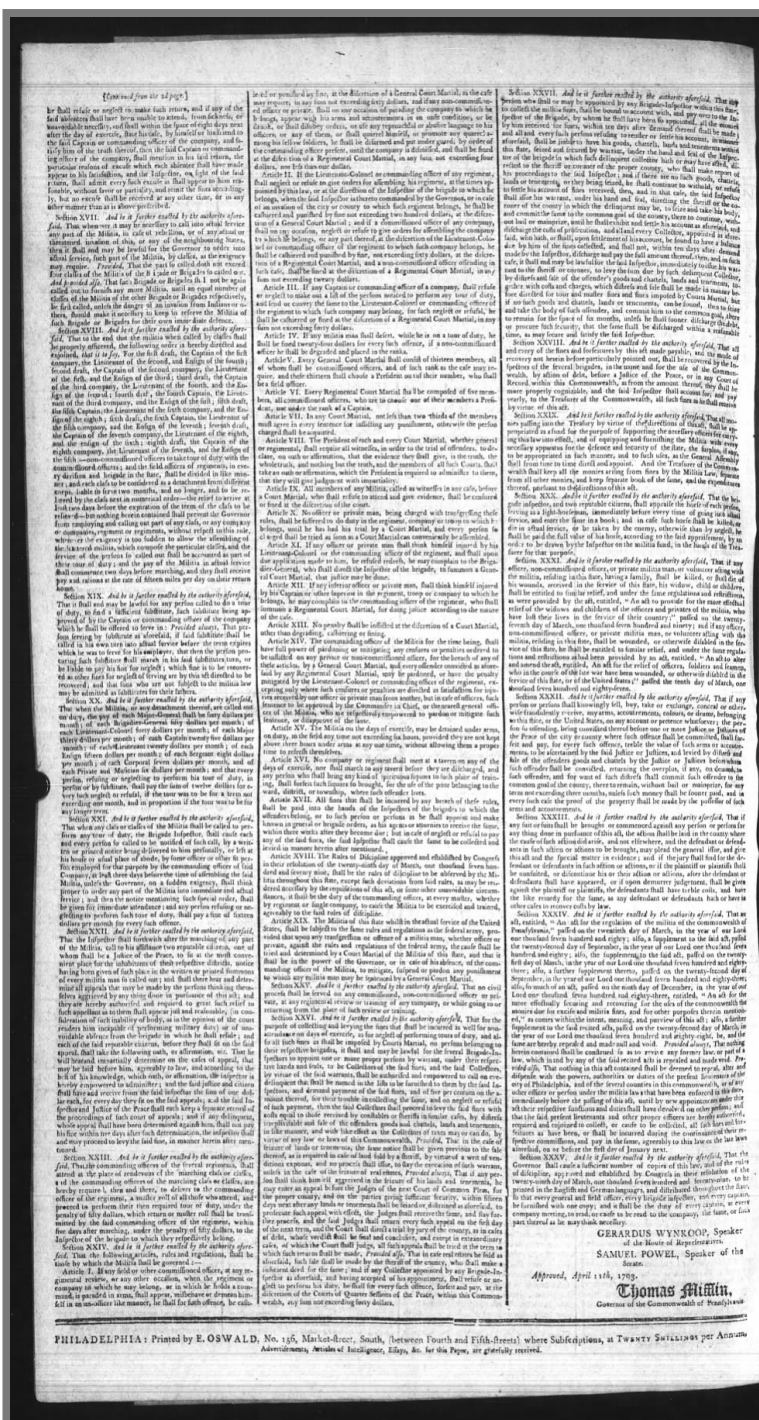
Dr. Bull's Cough Syrup is fast taking the place of all the old-fashioned cough remedies. It never fails to relieve the most violent cold, and for throat diseases it is invaluable. Price 25 cents.

PRESTYTERIANS, NORTH AND SOUTH.—Some of us, North and South, who have a record in the past to look after, are afraid that either side will go more than half way in the settlement. O police! What is the use of our standing on our dignity? If I had my way I would reach across the line, and with one hand take them by the hand, and with the other I would take them by the girdle, and in that grip I have Christian brotherhood I would have this whole trouble settled in three minutes. (Applause.) I tell you it is the disgrace of this century that the Presbyterian Church, North and South, are not in ecumenical correspondence to-day; and the greatest shame I ever sawed in all my life was when in this house three years ago, the attempt at fraternalism was very heavily deluged.—Talmage, Friday Night Talk.

Capt. Ayres Leforge, a Fleming county pioneer and a veteran of the Mexican war, denies the oft-repeated story that "Col. Johnson killed Tennessee," and says emphatically that he did not kill him, but that one David Gooding did, and that he carried his "dearly" home with him, keeping and exhibiting it for several years as a trophy; and that it was finally lost by accident—the wind blew it out of the window and before he could rescue it the dog tore it to pieces.—Flemingburg (Ky.) Democrat.

Exhibit 41





above three hours under arms at any one time, without allowing them a proper time to refresh themselves.

Article XVI. No company or regiment shall meet at a tavern on any of the days of exercise, nor shall march to any tavern before they are discharged, and any person who shall bring any kind of spirituous liquors to such place of training, shall forfeit such liquors to be brought, for the use of the poor belonging to the ward, district, or township, where such offender lives.

Article XVII. All fines that shall be incurred by any breach of these rules, shall be paid into the hands of the Inspectors of the brigades to which the offenders belong, or to such person or persons as he shall appoint.

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Exhibit 42

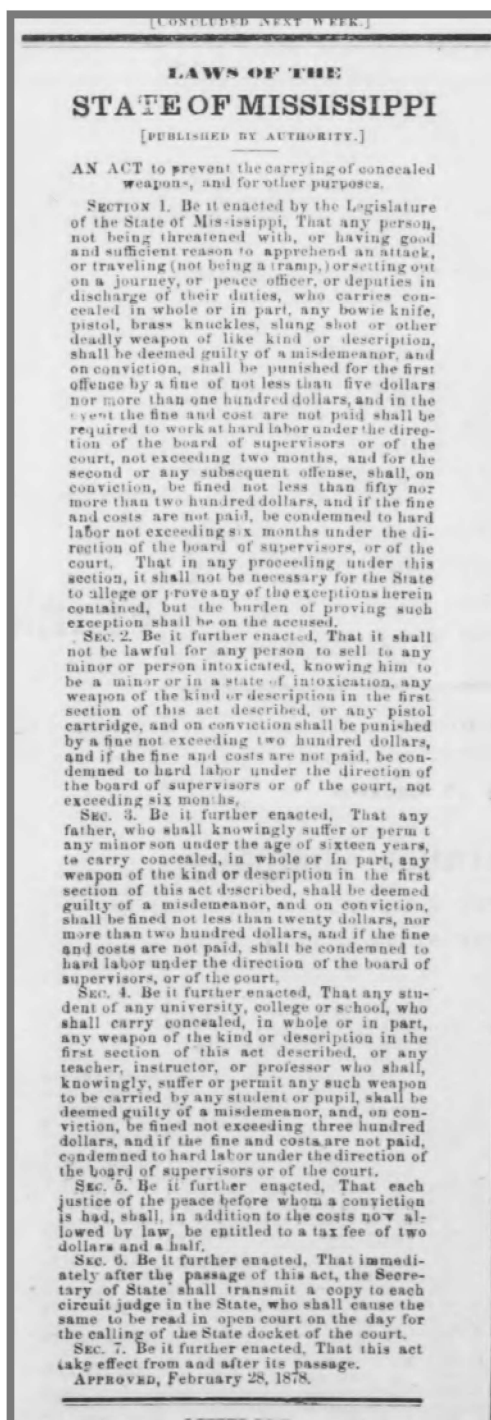


Exhibit 43

ORDINANCE NO. 179.

[First published in the Lyons REPUBLICAN,
September 10th, 1891.]

An Ordinance relating to carrying concealed
weapons, and repealing Ordinance No. 70.

Be it ordained by the Mayor and Council-
men of the City of Lyons, Kansas.

Sec. 1. Any person who is not engaged in
any legitimate business, any person under
the influence of intoxicating drink, who shall
be found within the limits of the City of
Lyons, carrying on his person a pistol, bowie
knife, dirk or other deadly weapon, shall be
subject to arrest upon charge of misdemeanor,
and upon conviction shall be fined in a sum
not exceeding fifty dollars, or by imprison-
ment in the city jail not exceeding one
month, or by both such fine and imprison-
ment.

Sec. 2. Ordinance number seventy of the
ordinances of the City of Lyons is hereby
repealed.

Sec. 3. This Ordinance shall take effect
after its publication in the Lyons Republican.

Passed and approved, Sept. 7th, 1891.

[seal] E. A. RICHARDS, Mayor.

Attest:—A. E. Magoffin, City Clerk.

Exhibit 44

TOWN ORDINANCE NO. 21.

An Ordinance regulating and prohibiting the carrying of deadly weapons:

Be it ordained by the Board of Trustees of the town of Blackwell:

SECTION 1:—It shall be unlawful for any person within the corporate limits of the town of Blackwell to carry concealed on or about his person, saddle, or saddle bags, any pistol, revolver, boule knife, dirk, dagger, slung shot, billy, metal knucks, sand bag, or any other kind of knife or instrument manufactured or sold for the purpose of defense except as in this ordinance provided.

SECTION 2:—It shall be unlawful for any person in the corporate limits of the town of Blackwell to carry upon or about his person any pistol, revolver, boule knife, dirk knife, loaded cane, billy, metal knuckles, or any other offensive or defensive weapon except as in this ordinance provided.

SECTION 3:—Public officers, while in the discharge of their duties, or while going from their homes to their place of duty, or returning therefrom, shall be permitted to carry arms, but at no other time and under no other circumstances. Provided, however, that if any public officer be found carrying such arms while under the influence of intoxicating drinks, he shall be deemed guilty of a violation of this ordinance as though he were a private person.

SECTION 4:—Persons shall be permitted to carry shotguns or rifles for the purpose of hunting, having them repaired, or for killing animals, or for the purpose of using the same in public muster or military drills, or while traveling or moving from one place to another, and not otherwise.

SECTION 5:—It shall be unlawful for any person to point any pistol, revolver, shot gun or rifle, whether loaded or not, at any other person or persons either in anger or otherwise.

SECTION 6:—Any person violating the provisions of any of the foregoing sections, shall upon conviction, be adjudged guilty of a misdemeanor and be punished by a fine of not less than five dollars and costs, nor more than ten dollars and costs, and shall be committed until said fine and costs are paid.

SECTION 7:—This ordinance shall be in full force and effect ten days after its publication in the K County DEMOCRAT.

Passed August 7th 1894.

JOHN R. MAY, President.

Attest: BUEL W. HOLT, Town Clerk.

Per T. M. JONES, Deputy Town Clerk.

[First published in the K County DEMOCRAT, August 9th 1894.]

Exhibit 45

Co's Owens lecture here before she leaves the Co.

Co AN ORDINANCE.—To prohibit intoxication breach of the peace, carrying of deadly weapons, the use of obscene language, the discharge of fire arms, and to close places of amusement on Sunday, in the city of Wallace Kansas, and to repeal certain ordinances in said city.

Be it ordained by the Mayor and Councilmen of the City of Wallace, in the State of Kansas.

Sec. 1. If any person shall be drunk in any highway, street or in any public place or building, or if any person shall be drunk in his own house or private building or place disturbing his family or others, he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$25 or by imprisonment in the city jail for a period not exceeding 30 days.

Sec. 2. Any person who shall wilfully disturb the peace or quiet of any person, family or neighborhood, shall upon conviction thereof be fined in a sum not exceeding \$100, or by imprisonment in the city jail not exceeding 3 months.

Sec. 3. Any person who shall, while intoxicated be found carrying on his person, a pistol, bowie-knife, dirk or other deadly weapon, shall upon conviction be fined in a sum not exceeding \$100, or by imprisonment in the city jail not exceeding 3 months.

Sec. 4. Any person who shall carry concealed or otherwise upon his person, any pistol, bowie knife, dirk or deadly weapon, shall upon conviction be fined in any sum not exceeding \$100, or by imprisonment in the city jail not exceeding 3 months. Provided however, that this shall not apply to any peace officer, of the State, County or Cities of the State, and provided further that if it shall appear to the court trying offences under this section, that the accused was engaged in any legitimate business or calling, that would necessitate the carrying of any such weapon, such person shall be acquitted.

Sec. 5. Any person who shall discharge any fire arms, rockets, powder firework torpedoes or other dangerous or combustible material, upon any streets, lots, grounds, alleys or in the vicinity of any building, shall upon conviction be fined in any sum not exceeding \$100, or by imprisonment in the city jail not exceeding 3 months. Provided however, that if it shall appear to the court, trying offences under this section, that the offence charged was committed by the accused in defence of his person or property or in celebrating any national holiday, public event, and that the same was done in such a manner as not to endanger the lives or property of another, such person shall be acquitted.

Sec. 6. Any person who shall speak, utter or use any indecent language in any public place in the presence and hearing of any female shall upon conviction be fined in any sum not exceeding \$100, or by imprisonment in the city jail not exceeding 3 months.

Sec. 7. Any person who shall on the first day of the week, commonly called Sunday, keep open any billiard room, ball or pin ally, skating rink, house, ground or other place of amusement, shall upon conviction be fined in any sum not exceeding \$100, or by imprisonment, in the city jail not exceeding 3 months.

Sec. 8. Whoever shall aid, assist, or counsel another to commit any of the offenses prohibited by this ordinance shall be deemed guilty of the same offense as the principal and punished accordingly notwithstanding, the principal may not have been charged with the offense.

Sec. 9. All fines and costs imposed by the Police Judge under this ordinance shall be by commitment of the accused to the city jail until the same is paid and the offenses herein denominated and prohibited shall extend to all such acts committed within the corporate limits of the city of Wallace.

Sec. 10. That an ordinance entitled, an ordinance relating to the carrying of deadly weapons, passed Nov. 26th, 1887, and published Dec. 3rd, 1887, and an ordinance, without title passed Nov. 17th, 1887, published Nov. 19, 1887, are hereby repealed, and this ordinance shall take effect and be in force from and after its publication in the Wallace County Register.

Passed and approved Dec. 22nd, 1887.

Attest: Geo. W. EWEN, A. B. CHRYSLER,
Clerk Protem. Pres. of Council.

Exhibit 46

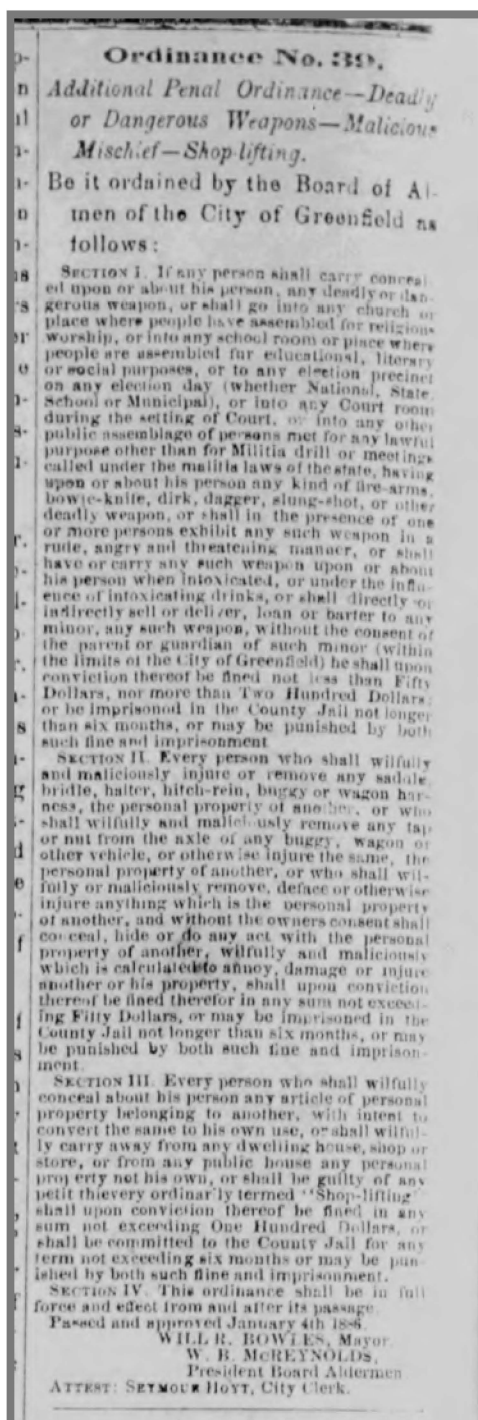
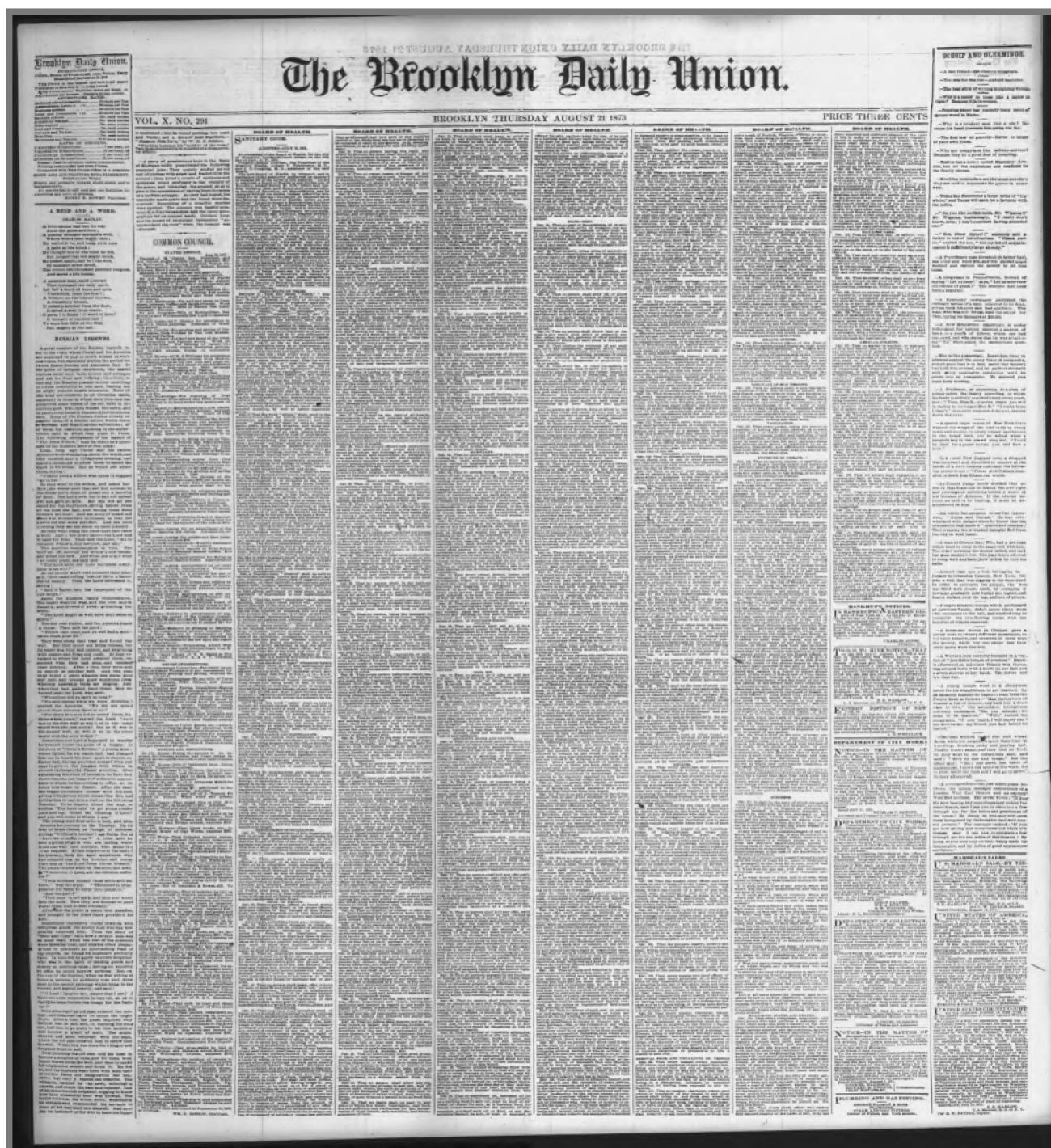


Exhibit 47



BOARD OF HEALTH.

SANITARY CODE.

ADOPTED JULY 15, 1873.

At a meeting of the Board of Health, for the city of Brooklyn, held at 65 Court street, on the 15th day of July, A. D., 1873.

Present—James Jourdan, the President of the Board of Health, Joseph C. Hutchinson, M. D., and J. T. Conkling, M. D., members of the said Board.

The said Board of Health by virtue of, and in pursuance of the authority conferred by section 9 of chapter 107 of the Laws of 1873, entitled "An act to establish a Board of Health in and for the city of Brooklyn, passed March 20, 1873," which said section declares that said Board shall possess within the city of Brooklyn, all the authority, and be charged with all the duties (unless otherwise provided for in this act) conferred or imposed upon the Metropolitan Board of Health, under an act entitled "An act to create a Metropolitan Sanitary District and Board of Health therein for the preservation of life and health; and to prevent the spread of disease," passed February twenty-sixth, eighteen hundred and sixty-six, chapter seventy-four, and also all the powers conferred by the amendments to said act, passed April nineteenth, eighteen hundred and sixty-six, and May twenty-fifth, eighteen hundred and sixty-seven, and also all the powers conferred by any act amendatory thereof, and also all the powers applicable to Brooklyn, conferred by an act for the regulation of tenement and lodging houses in the cities of New York and Brooklyn, passed May fourteenth, eighteen hundred and sixty-seven, and also all the powers conferred by an act to authorize the abatement and prevention of certain nuisances, deemed dangerous to the public health in the city of Brooklyn, passed April twenty-third, eighteen hundred and sixty-seven, and also all the authority, duty and powers, whether given by any law or by ordinance made thereunder heretofore (for the purpose of preserving or protecting life or health, or preventing disease) conferred upon or now belonging to or being exercised by the Board of Health of the city of Brooklyn, are hereby exclusively conferred upon, and shall hereafter be exclusively exercised by the aforesaid Board of Health of the city of Brooklyn, the members and officers thereof," do hereby direct, order, ordain and enact as follows:

DEFINITIONS OF TERMS.

SECTION 1. That the terms "Board," "this Board," and "said Board," shall be held to mean the "Board of Health of the City of Brooklyn;" that the word "Department" wherever used herein, shall be held to mean the "Board of Health of the City of Brooklyn;" that the words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "Board," and "officer," shall respectively be held to apply to and include, both jointly and severally, each and all owners, part-owners, tenants, lessees, occupants, managers, contractors, parties in interest, persons, officers, boards and corporations who may sustain the relations, or may be in like position or any one or more thereof referred to in any ordinance or regulation; that every order, ordinance or regulation declared applicable to the built-up portion of Brooklyn, shall, so far as the subject-matter thereof is applicable (save as to interments), and so far as this Board has authority to make the same, be held to include and apply to the built-up portions of said city; that every word or phrase anywhere herein defined shall be held to include the same sense wherever used; that the words "city," or "this city," or "said city," whenever used herein, shall be held to mean the city of Brooklyn; that the word "regulations" shall be held to include "special regulations," (which latter will be from time to time issued, and will contain more detailed provisions that can be herein con-

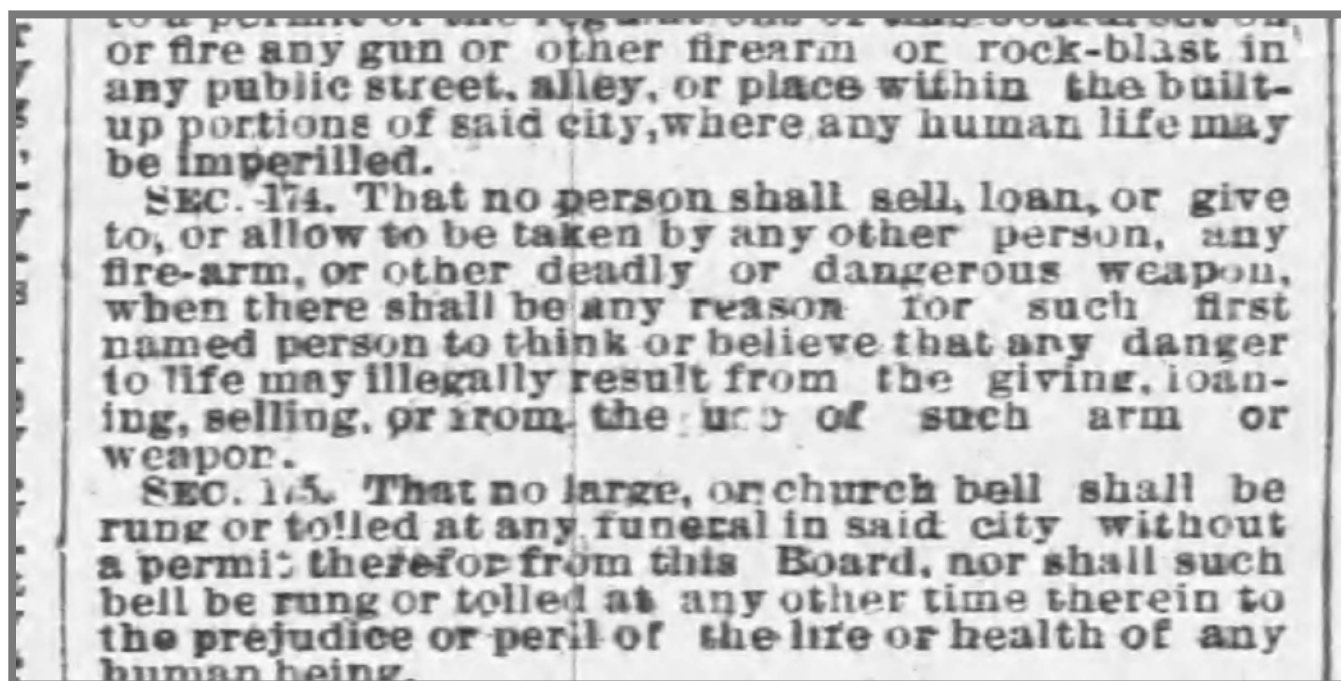


Exhibit 48

CONCEALED WEAPONS**Judge Brannon's Decision on This Subject.****HIS CONCLUSIONS VERY SWEEPING.**

The Law Recognizes No Difference in Persons and All Should be Prohibited from This Practice.

BECKHANNON, W. VA., October 12.—At the late term of the Circuit Court of Upshur county, a young man by the name of Long was tried on an indictment for carrying a pistol contrary to the act of 1882. The evidence for the prosecution was that Long was seen going along the public highway with a revolver in his hand.

The defense proved that Long was a peaceable citizen of good moral character and that he carried the weapon because that in passing along that road a short time previously, he had been pursued by a panther, and was alarmed for his safety.

The Judge Ruled Out

that part of the evidence relating to the danger of a panther, as an animal was not contemplated by the act of the Legislature which refers to the danger of bodily harm from some person as justifying the carrying of such weapons embraced in the law.

A verdict of guilty was rendered by the jury, and in the motion to arrest judgment and set aside the verdict, an able and elaborate argument was made by the prisoner's counsel. The ground set forth was the unconstitutionality of the law—first conflicting with the Second and Fourteenth amendments to the federal constitution, and also conflicting with our State constitution, which

Prohibits Class

legislation, it being contended that the feature which allows persons of good character and peaceable habits, under certain contingencies, to be exempt from the penalties of the law, is legislation in favor of a class.

The decision rendered by Judge Henry Brannon, who presided, sustained the law. As the law is one which has universally met with public favor, and one that has evoked eloquent eulogies from the bench in various parts of the State, your correspondent called upon Judge Brannon with a request that a copy of his decision be furnished for publication in favor of his Honor's politely granted. It is clear, concise, and will doubtless be

accepted as conclusive.**I believe as follows:**

The habit of carrying deadly weapons has become so prevalent and hurtful, that the Legislature, regarding the old statute insufficient, passed an act in 1882, forbidding a person to carry about his person any revolver or other pistol, dirk, bowie-knife, razor, slung shot, billy, metallic or other false knuckles, or any other dangerous or deadly weapon of like kind or character.

In this case it is urged that this act is void, because in violation of the Second Amendment of the Federal Constitution, which provides that "a well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed," and also because it grants the right to carry weapons for self defense only to persons who are quiet and peaceable citizens of good character and standing, and thus

Violates the Fundamental Principle that all citizens stand equal before the law; and violates that provision of the Fourteenth amendment prohibiting States from passing "any law which shall abridge the privileges or immunities of citizens, or deny to any person within their jurisdiction the equal protection of the laws."

It is a very grave act for a court to overthrow and defeat an act of the Legislature, and should be done only when its unconstitutionality is manifest. Where the repugnance to the Constitution is undoubted, the judge must yield to that high duty of respecting that highest law, the will of the people expressed in the Constitution, rather than the will of the Legislature; but never where he is doubtful, and all doubts go in favor of the act. All courts hold this doctrine. *Bridges v. Shallowcross*, 6 W. Va.

Is it the right of the citizen to wear

public places. For purposes of self defense, immediate danger it allows a peaceable citizen of good character to carry weapons. These exceptions in the act are useful and necessary; but who will say that it is useful or necessary privilege to the citizen to go abroad through the land wearing these deadly weapons?

But, it is argued here that the act discriminates between citizens, by allowing persons of good character the right of self defense, while denying it to others. It does not deny the right of self defense, for if a person of the worst character were assailed and in such danger as to warrant the exercise of the right of self defense and with his pistol were to slay his adversary, he could plead self defense on trial for murder, while he might be indicted for carrying a pistol beforehand. It is not a denial of the plea of self defense; it only denies to bad dangerous persons the right to arm beforehand and carry weapons, because they are a danger to the peace, whereas the

Law-Abiding are Not.

The power of regulation visited in the Legislature for police purposes and the maintenance of morals, law and order for the good of society are necessarily wide, even though it may seem to work discrimination between persons.

The right to earn a livelihood is a great right; yet no one can practice law, keep a hotel or sell liquor without proving a good moral character. Such has been the law for years, and no one has questioned its validity. A doctor must now prove a good character to practice. These powers of apparent discrimination must exist *ex necessitate rei*, from the necessity of the case. Liberty to the citizen is a great attribute and deserving of all protection; but it must be liberty regulated by law and consistent with the behests of organized society, not mere self-willed, arbitrary license. But suppose this feature limited the right to carry weapons for self defense to persons of character were required, it should not destroy the whole act. A court which should be of opinion that this particular feature is void, would disregard it by allowing the jury to prove the danger impending over him, and that

He Carried the Weapon

in self defense, and dispensing with proof of character. The act admits the main feature, the right to carry for self defense, but adds the condition of good character; but this latter provision is not so intimately connected with the self defense provision that it may not be separated from it and the self defense clause stand independent of it and be executed without it. Cooley says: "A statute may contain some unconstitutional provisions, and yet the same act may contain other useful and salutary provisions not obnoxious to any just constituted exception. It would be inconsistent with all just principles of constitutional law to adjudge these enactments void, because they are associated in the same act but not connected with it dependent on others which are unconstitutional. Where, therefore, a part of a statute is unconstitutional, the fact does not authorize the courts to declare the remainder void, unless all the provisions are connected in subject matter dependent on each other, operating together for the same purpose, or otherwise so connected together in meaning that it cannot be presumed the Legislature would have passed

The One Without the Other.

The constitutional and unconstitutional provisions may even be in the same section, and yet be perfectly distinct and separable, so that the first may stand through the last fall. The point is not whether they are contained in the same section; for the distribution into sections is purely artificial, but whether they are essentially and inseparably connected in substance. If, when the unconstitutional portion is struck out, that which remains is complete in itself, and capable of being executed in accordance with the apparent legislative intent, wholly independent of that which was rejected, it must be sustained."

The Fourteenth Amendment does not apply. The right to carry the weapon prohibited by this act is not a "privilege" or "immunity" within its meaning, nor does it deny the equal protection of the law. It is likely not designed to apply to the right to bear arms, for the other amendment applies to that subject, and there is no need for this as to this subject. It has other objects in view a discussion of which would make this opinion too long but it is

Could be at All Applied

to this subject, it would not grant the right to bear arms such as those prohibited by this act, and the remarks above would answer this point.

abroad the small and insidious arms prohibited by this act.' Or does the second amendment only guarantee the right to bear large arms, such as are useful in war and in defense of liberty against arbitrary power? Clearly the latter only. In days of tyranny long ago, when non-archival power sought supreme way and to trample down freedom, history tells us that one of its favorite methods was the

Disarming of the People

as wrenching from their hands and homes those arms useful and effective in defense of liberty and dangerous only to tyrants. In this free country this amendment was incorporated to avoid the dangers of the past. Another reason for its adoption was this: Standing armies had been engines of oppression in the past, and American sentiment was opposed to them, and as a substitute reliance was placed on the citizen militia, and to render it efficient it was desirable to train it to the use of arms common in war. The intimate connection in the amendment of this provision about learning arms with the language, "a well regulated militia being necessary to the security of a free state," shows that military efficiency and popular liberty were in the mind of its draftsmen rather than individual privilege. It intended, it defends individual privilege to save the right of the citizen to keep at his home and premises arms ordinarily used in war, and has no reference to small weapons which may be hidden in the pocket and first seen when drawn to do their deadly work. The lives of the people and the public peace are the highest objects of the protection of the law, and this act has

These High Objects,

in view. The pistol, the bowie-knife, the silette, the slung shot, the billy and the knuckles are the weapons of the ruffian and law breaker, are used in the riot or affray, are dangerous in moments of anger or intoxication, and from them a vast amount of murder, bodily injury and family distress arise, and from them many a bitter tear has flowed. Certainly it was never intended by the constitution to prohibit the Legislature from protecting the lives of the people and the public peace from their greatest foes; it was not intended to withhold the power to regulate within the bounds of prudence and usefulness the bearing of these weapons. It certainly can not be converted into a license to the evil disposed to make their persons walking arsenals to run rampant over the peace of the State, and disarm the Legislature of power to regulate or check it. Such a construction would make the Constitution defend lawlessness, tumult and anarchy, and sacrifice law, order and public security. I cannot yield to this dangerous construction. The construction of law must be reasonable. The act is wise and salutary, is doing good in this State, and the courts

Should Sustain It.

The great law writer Bishop, in his work on statutory crimes, sustains this view. Speaking of this clause in the Federal Constitution, he says:

"As to its interpretation, if we look at the question in the light of judicial reason, without the aid of specific authority, we shall be led to the conclusion that the provision protects only the right to 'keep' such 'arms' as are used for purposes of war in distinction from those which are employed in quarrel, brawls and fights between maddened individuals, since such only are properly known by the name of 'arms,' and such only are adapted to promote 'the security of a free State.' In the manner the right to 'bear' arms refers merely to the military way of using them, not to their use in bravado or affray. In Georgia and Kentucky such acts have been held void, but in Arkansas, Alabama, Tennessee and Pennsylvania, they have been sustained, and Bishop says the Arkansas doctrine is approved generally by American courts. Remember that this act recognizes the right to keep and carry a pistol about one's dwelling house or premises, carrying it from the

Place of Purchase

home, and from home to a place of repair and back again, and only prohibits their carriage on the premises of others and in